

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.10.2017

CORAM:

THE HONOURABLE MRS. JUSTICE PUSHPA SATHYANARAYANA

Tr.C.M.P.No.803 of 2016
and C.M.P.No.20300 of 2016

D. Soniya

... Petitioner

Vs.

V. Parthiban

... Respondent

Prayer: Petition filed under Section 24 of the Civil Procedure Code praying to withdraw and transfer the H.M.O.P.No.439 of 2015 from the file of Sub Court, Poonamallee to the Sub Court, Tambaram.

For Petitioner :Mr.M.Ganesh

For Respondent :Mr.P.Thamarai Selvam-No appearance

O R D E R

When the matter was listed on 03.10.2017, there was no representation for the respondent. Hence, it was posted today i.e. on 04.10.2017. Even today, there is no representation for the respondent either in person or through counsel, though one Mr.P.Thamarai Selvan, learned counsel has filed vakalat for the respondent.

2. The petitioner/wife has filed the above Transfer Civil Miscellaneous Petition to withdraw H.M.O.P.No.439 of 2015 pending on the file of the Sub Court, Poonamallee and transfer the same to the file of the Sub Court, Tambaram.

3. The respondent-husband had filed H.M.O.P.No.439 of 2015 before the Sub Court, Poonamallee for restitution of conjugal rights under Section 9 of the Hindu Marriage Act.

4. Heard the learned counsel appearing for the petitioner and perused the materials available on record.

5. It is stated that the petitioner is studying B.E E.C.E at Jerusalem Engineering College, Pallikaranai. As she has to attend the classes every day, she is not able to attend the

hearing at Poonamallee. It is also stated that it will affect her studies. Hence, she seeks for transferring the said H.M.O.P from the Sub Court, Poonamallee to the Sub Court, Tambaram.

6. Taking into consideration the grievance expressed by the petitioner, this Court deems it fit to transfer the said H.M.O.P.No.439 of 2015 from the file of the Sub Court, Poonamallee to the Sub Court, Tambaram. Accordingly, the Transfer Civil Miscellaneous Petition is allowed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

srn/rsi

To

1.The Sub Court, Poonamallee.

2.The Sub Court, Tambaram.

+lcc to Mr.M.Ganesh, Advocate Sr. 71509

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AR(V)
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