



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED 20.06.2017

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN

TR.C.M.P(MD)No.316 of 2015

and

M.P(MD)No.1 of 2015

K.Mariammal

.. Petitioner/Respondent

vs.

P.Poominathan

.. Respondent/Petitioner

Prayer: Transfer Civil Miscellaneous Petition filed under Section 24 of the Civil Procedure Code praying this Court to withdraw the case in H.M.O.P.No.267 of 2014 from the file of II Additional Sub-Court, Madurai and transfer the same to the file of Subordinate Court, Ramanathapuram for disposal of the same on merits and in accordance with law.

For Petitioner : M/s.M.Kannan

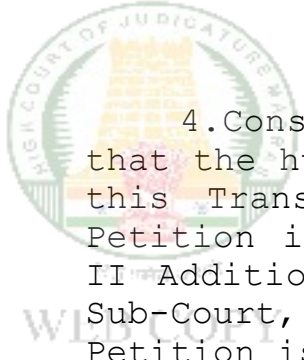
For Respondent : No appearance

ORDER

The wife who is the respondent in H.M.O.P.No.267 of 2014 filed by the husband seeking divorce on the ground of cruelty, is the Petitioner.

2.Heard the learned counsel for the Petitioner.The respondent's counsel was absent on yesterday(19.06.2017) and hence the matter was directed to be listed today. Even today there is no representation on behalf of the respondent.

3.The Petitioner seeks transfer of the said H.M.O.P.No.267 of 2014 from the file of III Additional Subordinate Court, Madurai to the file of Sub-Court, Ramanathapuram. According to her, she is a permanent resident of Ramanathapuram and her husband is also residing only at Ramanathapuram. She had also produced copy of the ration card which shows that the husband's address is at Ramanathapuram. However, it is seen that the husband has produced an unregistered document titled as ''Vadakai Oppanda Pathiram'' giving a address at Madurai and has chosen to file a divorce case in Madurai.



4.Considering the convenience of the wife as well as the fact that the husband is also shown to be a resident of Ramanathapuram, this Transfer Civil Miscellaneous Petition is allowed and the Petition in H.M.O.P.No.267 of 2014 is withdrawn from the file of II Additional Sub-Court, Madurai and transferred to the file of Sub-Court, Ramanathapuram. Consequently, connected Miscellaneous Petition is closed. No costs.

Sd/-
Assistant Registrar(T&P)

/True Copy/

Sub Assistant Registrar.

To

1.The Principal District Judge,
Theni.

2.The Judge,
Family Court,
Madurai.

3.The II Additional Sub-Judge,
Madurai.

+1CC to M/S.M.Kannan, Advocate, SR.No. 61045

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and
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20.06.2017

vsn
AM/SV MMS/SAR 1/30.06.2017/2P/5C