



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :13.10.2017

CORAM

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THE HONOURABLE **MR. JUSTICE S.BASKARAN**

TR.C.M.P(MD)No.319 of 2017

and

C.M.P. (MD)No.6819 of 2017

R.Brindha

...Petitioner / Respondent

Vs.

S.Kannan

... Respondent / Petitioner

Prayer: Transfer Civil Miscellaneous Petition is filed under Section 24 of Civil Procedure Code, to withdraw and Transfer the H.M.O.P.No.913 of 2016, on the file of the learned Principal Sub-Ordinate Judge, Tiruchirappalli, to the Sub-Court, Karur.

For Petitioner

:Mr.N.Shanmugaselvam

For Respondent

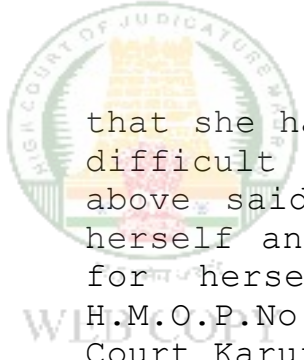
:No Appearance

ORDER

The petitioner has come forward with this petition seeking transfer of H.M.O.P.No.913 of 2016, pending on the file of the learned Principal Sub-Ordinate Judge, Tiruchirappalli, to the Sub-Court, Karur.

2.The petitioner states that she got married with the respondent on 06.07.2015 and lead a happy married life and was residing in the matrimonial home. She went to the parents house on 13.07.2015, and she has not returned to the matrimonial home till now. Due to some misunderstanding, they are not living together. She is now living with her parents at Virudhunager. Whiles the respondent filed H.M.O.P.No.278 of 2015 on the file of the learned Sub Judge, Trichy, seeking restitution of conjugal rights and subsequently, withdrew the same. Thereafter, based on a compliant given by the petitioner herein, a case was registered against the respondent in Crime No.28 of 2015 under Section 498 (A), 294(B), 448, 506 (I) in All Women Police Station, Karur and the same is taken on file and final report was filed in C.C.No.154 of 2016, and pending before the learned Judicial Magistrate No.I, Karur.

3.In such circumstances, the respondent herein filed <https://hcservices.courts.gov.in/hcservices/> of 2016, seeking divorce and the same is pending before the Principal Sub court, Trichy. The petitioner/wife states



that she has living on the support of her parents and she finds it difficult to travel to Trichy from Karur for the hearings in the above said O.P. The petitioner is not having means to support herself and as such travelling to Trichy from Karur is difficult for herself. Hence, the petitioner seeks to transfer the H.M.O.P.No.913 of 2016 from Principal Sub Court Trichy, to Sub Court Karur. Hence, this petition.

4. In spite of notice being served the respondent has not appeared in person nor through counsel.

5. In such circumstances, considering the reasons stated by the petitioner, and considering the convenience of the petitioner/wife, this Court is inclined to entertain this petition. The point raised is answered accordingly.

6. In the result, this petition is allowed. Consequently, connected miscellaneous petition is closed. No costs.

Sd/-

Assistant Registrar(P&A)

/True Copy/

Sub Assistant Registrar

To

1. The Principal Subordinate Judge,
Tiruchirappalli.

2. The Subordinate Judge,
Karur.

+1cc to Mr.N.Shanmugaselvam, Advocate Sr.No.82840

DAS/TM

VB/KP/SAR4/31/10/2017/2P/4C

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