



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.12.2017

CORAM:

THE HONOURABLE MR.JUSTICE S.BASKARAN

Tr.C.M.P. (MD) No.399 of 2017
and
C.M.P. (MD) No.8082 of 2017

Devi

.. Petitioner

Vs.

P.Vengatesa Boopathi

.. Respondent

Prayer: This Transfer Civil Miscellaneous Petition is filed under Section 24 of Civil Procedure Code, praying to withdraw the proceedings in H.M.O.P.No.171 of 2016 on the file of the Principal Subordinate Judge's Court, Thoothukudi and transfer the same to the Subordinate Judge's Court, Madurai.

For Petitioner : Mr.B.Vinoth Balan

For Respondent : No Appearance

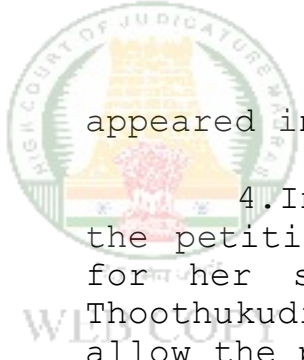
O R D E R

The petitioner has come forward with this petition seeking to withdraw the proceedings in H.M.O.P.No.171 of 2016 on the file of the Principal Subordinate Judge's Court, Thoothukudi and transfer the same to the Subordinate Judge's Court, Madurai.

2.The petitioner states that her marriage with respondent took place on 19.06.2015 and in her matrimonial home she was ill-treated by the respondent and her in-laws. On her intimation, her mother rushed to the matrimonial home and requested the respondent to live a peaceful life. But the respondent did not oblige. The respondent thereafter filed H.M.O.P.No.171/2016 before Subordinate Judge's Court, Tuticorin, seeking dissolution of marriage. The petitioner states that she is living along with her aged parents and two younger sisters in the address given in the petition and she is depending on her parents, since she has got no source of income on her own. The petitioner states that she finds difficult to travel 250 kms from Madurai to Thoothukudi. Hence she seeks transfer the case to Madurai.

<https://hcservices.ecourts.gov.in/hcservices/>

3.Inspite of notice being served, the respondent has not



appeared in person nor through counsel.

4. In such circumstances, considering the reasons stated by the petitioner and the fact that she is dependant on her parents for her sustenance and she finds it difficult to travel to Thoothukudi for each and every hearing, this Court is inclined to allow the petition.

5. In the result, this petition is allowed. H.M.O.P.No.171 of 2016 pending on the file of the Sub Court, Thoothukudi is directed to be transferred to the file of the Sub Court, Madurai for disposal. The Transferee Court is directed to expedite the trial and to dispose of as early as possible. Consequently, connected Civil Miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS-I)

/True Copy/

Sub Assistant Registrar

To

1. The Subordinate Judge, Thoothukudi.

2. The Subordinate Judge, Madurai.

+ 1 cc TO Mr.B.Vinoth Balan , Advocate in SR No. 94253

TM

AE/JC/SAR2/11.01.2018/2P/4C

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