



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 04.10.2017

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

TR. C.M.P (MD) .No.405 of 2017

and

C.M.P (MD) No.8177 of 2017

Kaniselvi

...Petitioner

Vs.

A.Dhanasekara Pandiyan

... Respondent

Prayer: Transfer Civil Miscellaneous Petition is filed under Section 24 of Civil Procedure Code, praying to withdraw H.M.O.P.No.201 of 2017 on the file of the Sub Court, Sivakasi and transfer the same to the Sub Court, Kovilpatti.

For Petitioner : Mr.B.Rajesh Saravanan

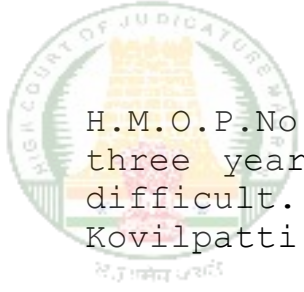
For Respondent : No appearance

ORDER

This Transfer Civil Miscellaneous Petition is filed seeking transfer of H.M.O.P.No.201 of 2017 on the file of the Sub Court, Sivakasi to the Sub Court, Kovilpatti.

2. The petitioner states that she got married to the respondent on 13.03.2013. Out of wedlock, a female child was born on 29.09.2014. Due to physical torture and dowry demand, she lodged a complaint against the respondent to All Women Police Station, Sattur on 12.03.2017. She was forced to go out of matrimonial home on 29.07.2017. Subsequently, on 30.07.2017, she gave a complaint against the respondent before All Women Police Station, Sattur, but, no legal action was initiated against the respondent. While so, the respondent / husband filed H.M.O.P.No.201 of 2017 seeking dissolution of the marriage and the same is pending on the file of Sub Court, Sivakasi.

3. The petitioner further states that the respondent / husband is threatening whenever she goes to Sivakasi. In such circumstances, the petitioner expressed apprehension over her safety, if she attends Court hearings in the above said



H.M.O.P.No.201 of 2017. She further states that her child is only three years old and travel along with her child to Sivakasi is difficult. Hence, she seeks transfer of H.M.O.P.201 of 2017 to Kovilpatti as stated above.

4. In spite of Court notice being served on the respondent, neither the respondent appeared in person nor through counsel.

5. In such circumstances, considering the reason stated by the petitioner and the fact that the convenience of the petitioner / wife is to be taken into consideration, this Court is inclined to entertain this petition. Accordingly, this Transfer Civil Miscellaneous Petition is allowed. No costs. Consequently, the connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar(CS-II)

/True Copy/

Sub Assistant Registrar

To

1. The Subordinate Judge,
Sivakasi.

2. The Subordinate Judge,
Kovilpatti.

+ 1 cc TO Mr.B.Rajesh Saravanan , Advocate in SR No. 81622

sm/gsp

AE/KK/SAR1/12.10.2017/2P/4C

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