



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 08.12.2017

CORAM :

THE HONOURABLE MR. JUSTICE S. BASKARAN

Tr.C.M.P (MD) .No.501 of 2017
and
C.M.P. (MD) .No.10276 of 2017

Amsavalli ... Petitioner

vs.

M.Rajendran ... Respondent

Prayer: This Transfer Civil Miscellaneous Petition filed under Section 24 of C.P.C to withdraw and transfer the case, H.M.O.P.No.270 of 2016 pending on the file of the Principal Subordinate Judge, Karur.

For Petitioner : Mr.T.Elango

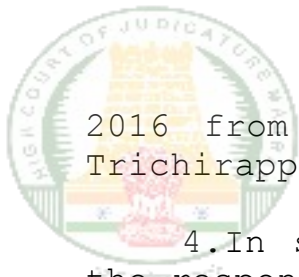
For Respondent : No appearance

ORDER

The petitioner has come forward with this petition seeking to transfer H.M.O.P.No.270 of 2016 from the file of the Principal Subordinate Judge, Karur to the Principal Subordinate Judge, Trichirappalli.

2.The petitioner states that her marriage with respondent took place on 03.06.1999 and after their wedlock, they gave birth to a male child on 15.03.2000 and female child on 08.07.2004. Subsequently, due to torture of the respondent herein, she was forced to go out of the matrimonial life. The petitioner is now in her parental home, while so, the respondent filed H.M.O.P.No.270 of 2016 on the file of the learned Sub Court, Karur, seeking to declare the marriage as null and void. The petitioner is now staying at Trichirappalli and it is difficult for her to travel nearly 100 kms, to and fro to attend the Court hearings at Karur along with her minor children.

3.The petitioner further states that she is not an employed and she depend on her family members and they are accompanying her, whenever attending the Court hearings and it causes great prejudice to the petitioner as well as her family members. Hence, the petitioner prays this Court to transfer the H.M.O.P.No.270 of



2016 from the file of the Sub Court, Karur to the Sub Court, Trichirappalli.

4. In spite of notice being served to the respondent, neither the respondent himself nor his counsel is present.

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5. In such circumstances, considering the reasons stated by the petitioner and other considerable circumstances that the petitioner is unemployed and looking after two minor children, this Court is inclined to entertain this petition by transferring H.M.O.P.No.270 of 2016 from the file of the Sub Court, Karur to the family Court, Trichirappalli.

6. In the result, this petition is allowed and H.M.O.P.No.270 of 2016 is transferred from the Sub Court, Karur to the file of the family Court, Trichirappalli. The learned Judge, Family Court, Trichirappalli is directed to dispose of H.M.O.P.No. 270 of 2016 as early as possible, as soon as receipt of records from the concerned Court. Connected Civil Miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS-II)

/True Copy/

Sub Assistant Registrar

To

1. The Subordinate Judge, Karur.

2. The Judge,
Family Court,
Trichirappalli.

Msa

AE/JC/SAR4/27.12.2017/2P/3C

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