



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 14.12.2017

CORAM:

WEB COPY

THE HONOURABLE MR. JUSTICE S.BASKARAN

Tr.C.M.P. (MD) .No.512 of 2017
and
C.M.P. (MD) No.10758 of 2017

S.Avudaiammal

... Petitioner/Respondent

Vs.

N.Raman @ Ramadoss

... Respondent/Petitioner

Prayer: This Transfer Civil Miscellaneous Petition is filed under Section 24 of Civil Procedure Code, praying to withdraw in H.M.O.P.No.10 of 2015 on the file of Sub Court, Valliyoor and transfer the same to the file of Sub-Court, Tiruchendur.

For Petitioner
For Respondent

: Mr.R.Pon Karthikeyan
: No Appearance

O R D E R

The petitioner has come forward with this petition seeking transfer of H.M.O.P.No.10 of 2015 from the file of the Sub Court, Valliyoor to Sub-Court, Tiruchendur.

2.The Petitioner/wife states that her marriage with the respondent was solemnized on 06.05.2010. After marriage, the petitioner was living with the respondent at Nagalkulam only for 15 days. Thereafter, they set up a marital home at Mumbai, wherein the respondent was employed. After March 2014, they returned to Nagalkulam and lived with the parents of the respondent. The mother-in-law of the petitioner demanded a load van for the respondent/husband and harassed her. The petitioner was driven out of the matrimonial home. Thereafter the respondent filed H.M.O.P.No.10 of 2015 before the Sub Court, Valliyoor seeking dissolution of marriage and the petitioner filed H.M.O.P.No.75 of 2016 on the file of Principal Sub Court, Thoothukudi seeking restitution of conjugal right and the same was transferred to the Sub Court, Tiruchendur and renumbered as H.M.O.P.No.172 of 2017 and the same is pending. The petitioner further states that she has been living at Tiruchendur with her parents and she has no source of income to travel to Valliyoor. Hence, she seeks transfer, as stated



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

4. Considering the reasons stated by the petitioner and the fact that the petitioner has no source of income and the fact that the H.M.O.P.No.172 of 2017 filed by the petitioner is pending before the Sub Court, Tiruchendur, this Court is inclined to entertain this petition as sought by the petitioner.

5. In the result, this petition is allowed. H.M.O.P.No.10 of 2015 on the file of the Sub Court, Valliyoor, is directed to be transferred to the file of the Sub Court, Tiruchendur, for disposal. The Transferee Court is directed to expedite the trial and to dispose of the H.M.O.P.No.10 of 2015 along with H.M.O.P.No.172 of 2017 within a period of six months from the date of receipt of a copy of this order. Consequently, connected Civil Miscellaneous petition is closed.

Sd/-

Assistant Registrar (AS)

/True Copy/

Sub-Assistant Registrar

To

1. The Subordinate Judge, Valliyoor.

2. The Subordinate Judge, Tiruchendur.

+One cc to Mr.R.Pon Karthikeyan, Advocate, SR.No.92771

cp

RL/4C/2P/KKR/SAR1/4/1/2018

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