



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 29.06.2017

CORAM

THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN

TR.C.M.P(MD)No.66 of 2017

and

C.M.P(MD)Nos.1594 and 5729 of 2017

Shanmugam @ Shanmugapriya .. Petitioner/Respondent/wife

vs.

R.Radhakrishnan ...Respondent/Petitioner/Husband

Prayer: Transfer Civil Miscellaneous Petition filed under Section 24 of the Civil Procedure Code praying this Court to withdraw and transfer the original petition in H.M.O.P.No.159 of 2016 from the file of Sub-Court, Thoothukudi and transfer the same to the file of Sub-Court, Tirunelveli.

For Petitioner : M/s.J.Ashok

For Respondent : M/s.N.Ramesh Arumugam

ORDER

The wife is the Petitioner. She seeks transfer of H.M.O.P.No.159 of 2016, on the file of Sub-Court, Thoothukudi to Sub-Court, Tirunelveli, on the ground of convenience. In the original Petition filed before Sub-Court, Thoothukudi also, the wife is shown to be a resident of Tirunelveli.

2.The learned counsel for the husband would submit that the husband is a physically challenged person and he cannot travel by bus. A typed-set has also been produced showing the physically challenged pass-book, Disability Certificate of the husband. Therefore, it is clear that the husband will be put to great hardship if he has to travel from Thoothukudi to Tirunelveli.

3.Considering the same as well as the distance between Thoothukudi and Tirunelveli being only 50 Kms, I do not find any reason to transfer the proceedings which will inconvenience the husband and more so in the inconvenience suffered by the wife.



4. Hence the Transfer Civil Miscellaneous Petition is dismissed. Consequently, connected Miscellaneous Petitions are dismissed. No costs.

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Sd/-

Assistant Registrar (CSI)

/True Copy/

Sub-Assistant Registrar

To

1. The Subordinate Judge,
Thoothukudi.

2. The Subordinate Judge,
Tirunelveli

+One cc to Mr. M. S. Jeyakarthick, Advocate, SR.No.62988

vsn

RL/4C/2P/KP/SAR1/6/7/2017

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