



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED 05.06.2017

CORAM

THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN

TR.C.M.P(MD)No.538 of 2016
and
C.M.P(MD)No.11370 of 2016

Raasi

.. Petitioner/Respondent

vs.

Anbalagan

.. Respondent/Petitioner

Prayer: Transfer Civil Miscellaneous Petition filed under Section 24 of the Civil Procedure Code, praying this Court to withdraw H.M.O.P.No.49 of 2015 pending on the file of Family Court, Dindigul and transfer the same to the file of Family Court, Madurai.

For Petitioner : No appearance

For Respondent : No appearance

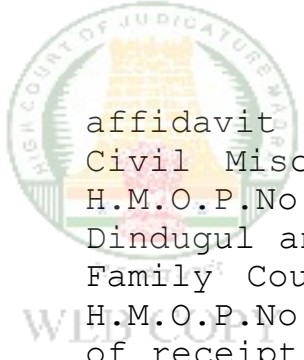
ORDER

The wife who is the respondent in H.M.O.P.No.49 of 2015 filed by the husband under Section 13(1)(b) of the Hindu Marriage Act seeking divorce on the ground of desertion, is the Petitioner.

2.Transfer is sought for mainly on the ground of convenience of the wife. It is also alleged in the affidavit filed in support of the Transfer Petition, when an earlier H.M.O.P.No.270 of 2008 filed by the husband seeking divorce on the ground of cruelty, which was tried at Sub-Court, Dindigul, the wife was harassed by the husband and his relatives.

3.Though the husband has been served on 6.5.2015, he has not chosen to appear either in person or through his counsel, duly instructed. His name is also printed in the cause-list. Even in the Original Petition, it is shown that the wife is residing in Thirumangalam, near Madurai.

4.Considering the convenience of the wife and the fact that the husband has not chosen to dispute the allegations made in the



affidavit filed in support of the Transfer Petition, the Transfer Civil Miscellaneous Petition is allowed and the proceedings in H.M.O.P.No.49 of 2015 is withdrawn from the file of Family Court, Dindugul and transferred to the file of Family Court, Madurai. The Family Court, Dindugul is directed to transmit the papers on H.M.O.P.No.49 of 2015 within a period of two weeks from the date of receipt of a copy of this order to the Family Court at Madurai. Consequently, connected Miscellaneous Petition is closed. No costs.

Sd/-

Assistant Registrar (CS-I)

/True Copy/

Sub Assistant Registrar

To

1. The Judge,
Family Court,
Dindigul.
2. The Judge,
Family Court,
Madurai.

+1cc to Mr.V.Sankara Narayanan, Advocate Sr.No.58450

vsn

vb/jc/sar1/08.06.2017/2p/4c

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