

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED:18.01.2018
CORAM
THE HONOURABLE Mrs. JUSTICE PUSHPA SATHYANARAYANA
Tr.C.M.P. No.833 of 2017
and C.M.P.No.17429 of 2017

Iswarya@Kaleeshwari

... Petitioner

versus

Ashok Kumar

... Respondent

Prayer:- The Petition is filed under Section 24 of C.P.C. praying to withdraw H.M.O.P.No.35 of 2017 pending on the file of Hon'ble Subordinate Judge of Avinashi and to transfer the same to the Hon'ble Subordinate Judge of Pollachi.

For Petitioner : Mr.N.Ponraj

For Respondent : Mr.C.Prabakaran

O R D E R

The petitioner/wife in the matrimonial dispute has filed this transfer Civil Miscellaneous Petition seeking to withdraw H.M.O.P.No.35 of 2017, pending on the file of Sub Court, Avinashi, filed by the respondent/husband under Section 13(1) (i-a) of the Hindu Marriage Act for divorce and transfer the same to the file of Sub Court, Pollachi.

2. In the affidavit filed in support of the petition it is stated that the petitioner/wife is living with her child and aged mother at Pollachi and she is unemployed. She has no source of income to take care of her school going child and she is also dependent on her parents for their livelihood. Further, she expressed her difficulty to travel alone more than 150 kms for each hearing at Avinashi. Hence, the petitioner/wife sought for the above transfer.

3. Heard the learned counsel for the petitioner and the learned counsel for the respondent.

4. Considering the convenience of the parties and Section 19(iii-a) of the Hindu Marriage Act, where the wife has been given privilege of filing the petition wherever she is residing, this Court is inclined to transfer H.M.O.P.No.35 of 2017, from the file of Sub Court, Avinashi to the file of Sub Court, Pollachi.

5. Accordingly, the Transfer Civil Miscellaneous Petition is allowed by withdrawing H.M.O.P.No.35 of 2017, pending on the file of Sub Court, Avinashi and transferring the same to

the file of Sub Court, Pollachi. No Costs. Consequently,
connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar

To

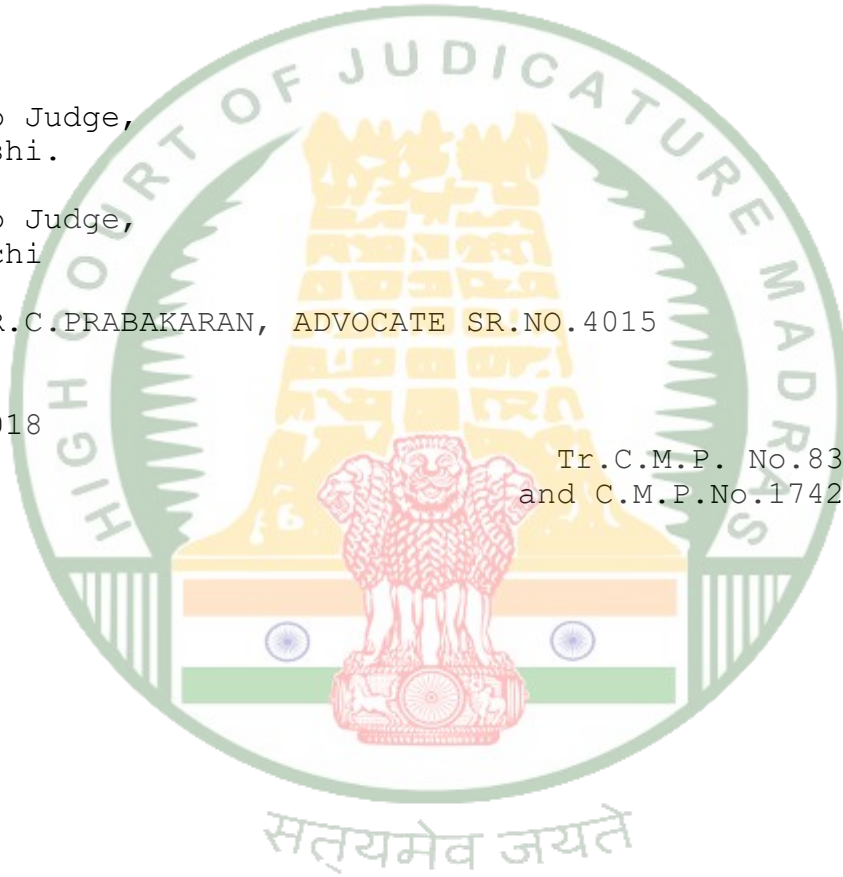
1. The Sub Judge,
Avinashi.

2. The Sub Judge,
Pollachi

+1CC TO MR.C.PRABAKARAN, ADVOCATE SR.NO.4015

KJI (cO)
SM:13.2.2018

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