

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:14.02.2018

C O R A M

THE HONOURABLE Mrs.JUSTICE PUSHPA SATHYANARAYANA

Tr.C.M.P.No.934 of 2017
and
C.M.P.No.18748 of 2017

Diviya

.. Petitioner

-Vs-

Babu

.. Respondent

Transfer Civil Miscellaneous Petition filed under Section 24 of C.P.C praying to withdraw proceedings in H.M.O.P.No.79 of 2017 on the file of the Principal Subordinate Judge, Krishnagiri filed by the respondent and transfer the same to the Subordinate Judge, Vellore.

For petitioner : Mr.M.Rajendiran
For Respondent : Mr.C.Prabakaran

O R D E R

The petitioner has filed this Transfer Civil Miscellaneous Petition seeking to withdraw H.M.O.P.No.79 of 2017 pending on the file of the Principal Sub Court, Krishnagiri and transfer the same to the file of the Sub Court, Vellore.

2. The respondent had filed the above H.M.O.P.No.79 of 2017 before the Principal Sub Judge, Krishnagiri for divorce.

3. In paragraph 6 of the affidavit filed in support of the petition, it is stated that the petitioner is unemployed and finds it difficult to travel from Vellore to Krishnagiri, which is more than 300 kms away from her residence. Hence, she sought for transfer.

4. However, the learned counsel appearing for the respondent-husband opposed for transfer and expressed the difficulty of the respondent-husband that he has to travel to Vellore, where there is a Family Court and the appearance of the parties is mandatory.

5. After arguing for some time, learned counsels have agreed that the matter may be transferred to Sub Court, Ambur, which would be convenient for both the parties to conduct the

case.

6. Considering the arguments advanced on both sides and the convenience of both the parties, this Court is of the view that H.M.O.P.No.79 of 2017 pending on the file of the Principal Subordinate Court, Krishnagiri shall be transferred to the file of the Sub Court, Ambur, which would be convenient for both of them. The appearance of the parties is dispensed with till the commencement of trial.

7. With the consent of both the learned counsels, H.M.O.P.No.79 of 2017 pending on the file of the Principal Subordinate Court, Krishnagiri is withdrawn and transferred to the file of the Sub Court, Ambur. Accordingly, the transfer civil miscellaneous petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

s/d-

Assistant Registrar(CS VIII)

True Copy

Sub-Assistant Registrar

srn

To

- 1.The Principal Subordinate Judge, Krishnagiri
2. The Subordinate Judge, Ambur

+1 CC to Mr.M. Rajendiran, Advocate sr 11207.

+1 CC to Mr.C. Prabakaran, Advocate sr 11912.

सत्यमेव जयते

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NMI (CO)
SP(08/03/2018)

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