

IN THE HIGH COURT OF JUDICATURE AT MADRAS

RESERVED ON : 11.10.2018

PRONOUNCED ON : 22.10.2018

CORAM

THE HONOURABLE MR.JUSTICE T.RAVINDRAN

Transfer CMP.No.632 of 2018

Rubini @ Subasini ... Petitioner

Vs.

Vasu ... Respondent

Prayer :- Transfer Civil Miscellaneous Petition has been filed under Section 24 of CPC to withdraw the HMOP No.55 of 2018 on the file of the learned Sub-Court, Panruti, Cuddalore District and to transfer the same to the learned Sub-Court, Thiruvannamalai.

For Petitioner : Mr.K.Krishnan

For Respondent : No appearance
set exparte vide order
dated 11.10.2018

ORDER

The petitioner is the wife. The respondent is the husband.

2.The respondent has levied HMOP No.55 of 2018 for divorce against the petitioner and the same is pending on the file of the Sub-Court, Panruti, Cuddalore District. It is seen that the petitioner has preferred Domestic Violence case against the respondent in DAV No.11 of 2017 and the same is pending on the file of the Judicial Magistrate Court, Thiruvannamalai District.

3.Seeking transfer of the matrimonial proceeding of the respondent from Panruti Court to Thiruvannamalai Court, the transfer petition has been laid by the petitioner on the footing that she is a resident of Thiruvannamalai and the distance between Panruti and Thiruvannamalai is on the higher side and she has to look after her young daughter, a school going child and she is unemployed and depending upon her parents and struggling to maintain her and her daughter and accordingly, prayed for the transfer.

4.In this matter, though the respondent had been served, he has not evinced any interest to contest the transfer petition of the petitioner and accordingly, he having been called and remaining absent, been set exparte.

5.The petitioner has putforth certain inconvenience and hardship in attending the proceeding at

Panruti Court, and the same has not been challenged by the respondent. Admittedly, the distance between Panruti and Thiruvannamalai is on the higher side. Furthermore, considering the reasons projected by the petitioner for effecting the transfer, they seem to be genuine and accordingly, the respondent also has not shown any inclination to challenge the same. Accordingly, it is seen that the petitioner has made out a sufficient cause to accept the transfer request projected by her.

6.For the reasons aforestated, HMOP No.55 of 2018 is withdrawn from the file of the Sub-Court, Panruti and transferred to the file of the Sub-Court Thiruvannamalai for disposal as per law.

Accordingly, the Transfer Civil Miscellaneous Petition is allowed. Consequently, connected civil miscellaneous petition, if any, is closed.

22.10.2018

Index : Yes / No

Internet : Yes / No

sms

To

- 1.The Sub-Court, Panruti, Cuddalore District.
- 2.The Sub-Court, Thiruvannamalai.

T.RAVINDRAN, J.

sms

Pre-delivery Order made
in Transfer CMP.No.632 of 2018

22.10.2018