



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT  
DATED: 11.04.2018  
CORAM:

**THE HONOURABLE MR.JUSTICE M.V. MURALIDARAN**

WEB COPY

TR.C.M.P.(MD) No.521 of 2017 and  
C.M.P(MD).No.11046 of 2017

B. Sathiyakala : Petitioner/Respondent

Vs.

M. Chelladurai : Respondent/Petitioner

Prayer: This Transfer CMP is filed under Section 24 of CPC praying to withdraw the case in HMOP.No.117 of 2017 on the file of the Sub Court, Valliyur, Thirunelveli District and transfer the same to the file of the Sub Court, Karaikal.

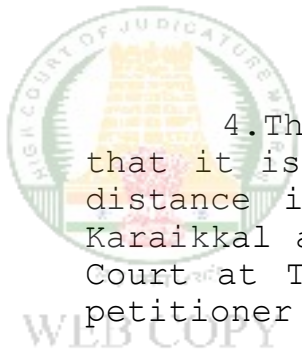
For Petitioner : Mr.G. Anbusaravanan  
For Respondent : Mr. B. Anandan

### **O R D E R**

The Transfer Civil Miscellaneous Petition is filed to withdraw and transfer the case in HMOP.No.117 of 2017, from the file of the Sub Court, Valliyur, Thirunelveli District to the file of the Sub Court, Karaikal.

2. The petitioner herein is the wife and the respondent is the husband. The marriage between the petitioner and the respondent was solemnized on 29.09.1999, as per Hindu Rites and Customs. A female child was born in the wedlock on 13.06.2004. Due to misunderstanding, the petitioner left the matrimonial home. Thereafter, the respondent / husband filed HMOP.No.117 of 2017, for divorce, on the file of the Sub Court, Valliyur.

3. According to the petitioner, she is unemployed and she is residing at Karaikal along with her aged parents. She is only depending on her parents for her day to day expenses including travel expenses. The distance between Karaikal and Valliyur is more than 450 Kilometers and it is very difficult for the petitioner to travel for each and every hearing at Valliyur, Thirunelveli District. There is no one accompany with her from Karaikkal to Valliyur to attend each and every hearing, before the Sub Court, Valliyur. In such circumstances, the petitioner filed this petition to transfer HMOP.No.117 of 2017, from the file of the Sub Court, Valliyur, Thirunelveli District to the file of the Sub Court, Karaikal.



4. The learned counsel appearing for the respondent submitted that it is very difficult for the respondent to travel such a long distance if the HMP.No.117 of 2017 is transferred to Sub Court, Karaikkal and he prayed for transferring the case to any one of the Court at Trichy, for which, the learned counsel appearing for the petitioner has no objection.

5. I have heard the learned counsel appearing on either side.

6. In view of the above, this petition is ordered as follows:

(a) The learned Subordinate Judge, Valliyur, Thirunelveli District, is directed to transmit the entire records pertaining to the case in the HMOP.No.117 of 2017, to the Family Court, Trichy, within a week from the date of receipt of a copy of this order, if the same is not yet disposed of.

(b) The learned Judge, Family Court, Trichy, after obtaining the records on transfer, is directed to dispose of the said HMOP, within a period of four months, thereafter.

No costs. Consequently, the connected Miscellaneous Petition is closed.

Sd/-  
Assistant Registrar (CS-I)

/True Copy/

Sub Assistant Registrar

To

1. The Sub Judge, Valliyur, Thirunelveli District.
2. The Judge Family Court, Trichy.

+1CC to Mr.G. Anbusaravanan Advocate in SR No.61217

TRP

DS/JC/SAR-2 :04.05.2018: 2P/4C

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