

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 26.03.2019

C O R A M

THE HONOURABLE MR.JUSTICE M.GOVINDARAJ

TR C.M.P. No.100 of 2019
and
C.M.P.No.3511 of 2019

Ganthimathi

... Petitioner

Vs.

Chandramouli

... Respondent

PRAYER: Transfer Civil Miscellaneous Petition filed under Section 24 of C.P.C., to withdraw and transfer the H.M.O.P.No.249 of 2018 on the file of the Hon'ble Principal Subordinate Court, Tirupur to the Hon'ble Sub Court, Thoothukudi.

For Petitioner : Mr.S.Sivakumar

For Respondent : No appearance

O R D E R

This Transfer Civil Miscellaneous Petition has been filed seeking transfer of H.M.O.P.No.249 of 2018 on the file of Principal Subordinate Court, Tirupur to the file of Sub Court, Thoothukudi.

2. Respondent and petitioner are husband and wife. The respondent/husband filed a divorce petition in H.M.O.P.No.249 of 2018 before the Sub Court, Tirupur. Despite the service of notice, the respondent/husband has not chosen to appear before this Court.

3. From the materials available, it is seen that admittedly the petitioner/wife is residing in Tuticorin and she filed a petition in M.C.No.31/2018 for maintenance before the Chief Judicial Magistrate, Thoothukudi. She finds it very difficult to travel from Tuticorin to Tirupur for every hearing. Hence, she seeks transfer of the petition filed by her husband in H.M.O.P.No.249 of 2018 before the Sub Court, Tirupur to Sub Court, Tuticorin and to be tried along with the petition filed by her for maintenance.

4. Considering the physical and mental hardship caused to the wife, this Court is inclined to transfer the divorce

petition filed by husband from Sub Court, Tiruppur to Sub Court, Tuticorin.

5. Accordingly, H.M.O.P.No.249 of 2018 pending on the file of Principal Sub Judge, Tiruppur is withdrawn and transferred to the file of Principal District Court, Tuticorin.

6. The Transfer Civil Miscellaneous Petition is disposed of with the above direction. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS VIII)

//True Copy//

Sub Assistant Registrar

bri

1.The Principal Sub Judge,
Tiruppur.

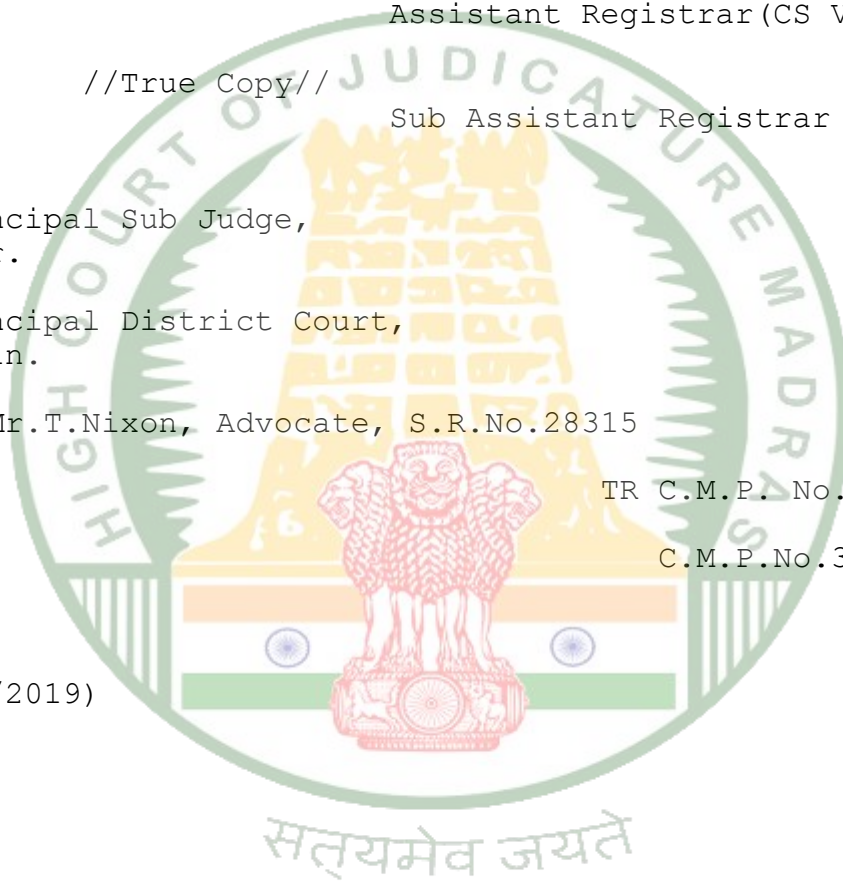
2.The Principal District Court,
Tuticorin.

+2ccs to Mr.T.Nixon, Advocate, S.R.No.28315

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SPD (CO)

RRS (08/05/2019)



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