

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.06.2019

CORAM :

THE HONOURABLE MR. JUSTICE T.RAJA

Tr.C.M.P.No.360 of 2019

and

C.M.P.No.10271 of 2019

T.Sarijtha

... Petitioner

Vs.

J.Srinivasan

... Respondent

Prayer:- Petition has been filed under Section 24 of C.P.C., praying to withdraw the pending case in H.M.O.P.No.68 of 2018 on the file of the Sub Court, Ponner, and to transfer the same to the file of the Family Court, Villupuram.

For Petitioner : Mr.K.Govi Ganesan

For Respondent : Mr.C.Sathiyakumar

O R D E R

The present Transfer Civil Miscellaneous Petition is filed to withdraw H.M.O.P.No.68 of 2018, pending on the file of the Sub Court, Ponneri, and to transfer the same to the file of the Family Court, Villupuram.

2. The petitioner is the wife and the respondent is the husband. The above said H.M.O.P.No.68 of 2018 was filed by the respondent/husband seeking for divorce.

3. Learned counsel for the petitioner/wife submitted that the marriage between the petitioner and the respondent was solemnized on 20.05.2013 as per the Hindu's Customs and Rites. It is further stated that right from the date of marriage, the respondent/husband was demanding dowry and during 8th month of pregnancy, he has beaten her and thereafter, she was admitted in the hospital, where a child was born and died in seven days. Subsequently, she has been living with her parents from 28.06.2015 with great mental hardship. Whiles, all of a sudden, the respondent/husband filed the above said HMOP seeking for divorce, which is pending before the learned Sub-Court, Ponneri. It further stated that since the parents are aged persons, she cannot travel alone, that too nearly 210 kms., therefore, she sought for transferring the above said HMOP from the file of learned Sub-Court, Ponneri, to the file of the learned Family Court, Villupuram.

4. In view of the aforesaid submissions, considering the fact that the distance is more than 210 kms and also considering the fact that the parents of the petitioner/wife are aged persons, this Court deems it to allow the prayer of the petitioner. Accordingly, H.M.O.P.No.68 of 2018 is withdrawn from the file of the learned Sub Court, Ponneri, and consequently, transferred to the file of the learned Family Court, Villupuram. On such transfer, the learned Family Court, Villupuram, shall dispose of the same in the manner known to law as expeditiously as possible.

5. With the above direction, the present Transfer Civil Miscellaneous Petition is allowed. Consequently, connected C.M.P.No.10271 of 2019 is closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

rkm

To

1.Sub Court, Ponneri.

2.Family Court, Villupuram.

+lcc to Mr.K.Govi Ganesan, Advocate sr.51377

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nr 29/07/2019

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