

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.02.2019

C O R A M

THE HONOURABLE MR.JUSTICE M.GOVINDARAJ

TR C.M.P. No.799 of 2018
and
C.M.P.No.19717 of 2018

Rajalakshmi ... Petitioner

Vs.

Shakthivel ... Respondent

PRAYER: Transfer Civil Miscellaneous Petition filed under section 24 of C.P.C., to withdraw H.M.O.P.No.35/2017, on the file of the Sub-Court, Thittakudi, Cuddalore District and transfer the same to the Principal Sub-Court, Kumbakonam, Thanjavur District.

For Petitioner : Mr.T.Elumalai

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.35/2017 pending on the file of Sub-Court, Thittakudi, Cuddalore District, to the file of Principal Sub-Court, Kumbakonam, Thanjavur District.

2. Respondent and petitioner are husband and wife. Respondent filed a petition for divorce in H.M.O.P.No.35/2017 on the file of Principal Sub-Court, Virudhachalam. Since a new Court was constituted, the said petition was transferred to Sub Court, Thittakudi, Cuddalore District. The address of the petitioner/wife is shown as Soliyavalagam Village, Thiruvidaimaruthur Taluk, Thanjavur District. Now, the petitioner/wife seeks to transfer the H.M.O.P.No.35/2017 to the file of Principal Sub Court, Kumbakonam, Thanjavur District.

3. It is seen from the petition that the petitioner is having a 4 years old child and she is taking treatment at richy and the distance between her place of residence to

Sub Court, Thittakudi is more than 88 kms. Since she is having an ailing child and unable to travel such a long distance, she seeks transfer of H.M.O.P.No.35/2017 on the file of Sub Court, Thittakudi, to the file of Principal Sub-Court, Kumbakonam, Thanjavur District, which is nearer to her residence.

4. Considering the physical and mental hardship suffered by the petitioner, this Court directs transfer of H.M.O.P No.35 of 2017 pending on the file of Sub-Court, Thittakudi, Cuddalore District, to the file of Principal Sub-Court, Kumbakonam, Thanjavur District.

5. Accordingly, the Transfer Civil Miscellaneous Petition is disposed of with the above directions. No costs. Consequently, connected miscellaneous petition is closed.

Sd/--

Assistant Registrar(CS)

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Sub Assistant Registrar

bri
To

1. The Sub-Court, Thittakudi,
Cuddalore District.
2. The Principal Sub-Court,
Kumbakonam,
Thanjavur District.

+lcc to Mr. T.Elumalai, Advocate SR.No. 14303

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A.SK(18/03/2019)

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