

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.02.2019

C O R A M

THE HONOURABLE MR.JUSTICE M.GOVINDARAJ

TR C.M.P. No.872 of 2018
and
C.M.P.No.21530 of 2018

Parameshwari

... Petitioner

Vs.

Kumar

... Respondent

PRAYER: Transfer Civil Miscellaneous Petition filed under section 24 of C.P.C., to withdraw H.M.O.P.No.284 of 2018 on the file of the Principal Subordinate Court, Tirupur and transfer the same to the Subordinate Court at Palani.

For Petitioner : Mr.K.Kathiresan

For Respondent : No Appearance

O R D E R

This Transfer Civil Miscellaneous Petition is filed to transfer H.M.O.P.No.284 of 2018 from the file of Principal Subordinate Court, Tirupur to the file of Subordinate Court, Palani.

2. The respondent/husband has filed the petition for divorce under Section 13 (1) (i) (i-a) (i-b) of the Hindu Marriage Act, 1955.

3. The address of the petitioner is shown as Rajapuram Pudhur, Palani in the petition for divorce. The petitioner/wife has filed the transfer application stating that she has 7 years old child and finds it difficult to travel from Palani to Tiruppur for every hearing.

4. Despite the receipt of notice issued by this Court in the above transfer application, the respondent has not appeared before this Court.

5. Considering the mental and physical hardship and inconvenience caused to the petitioner/wife, this Court is inclined to transfer HMOP.No.284 of 2018 on the file of the Principal Subordinate Court, Tirupur filed by the respondent/husband to the file of Sub Court, Palani. Petitioner/wife has also stated that another case with regard to Domestic violence in D.V.M.C.No.19/2018 before the Judicial Magistrate Court, Palani, is pending.

6. Accordingly, HMOP.No.284 of 2018 pending on the file of Principal Subordinate Court, Tirupur stands withdrawn and transferred to Sub Court, Palani. The Sub Judge, Palani is directed to renumber the HMOP and issue notice to the parties.

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

Sd/-

Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

bri

To

1.The Principal Subordinate Judge,
Tirupur.

2.The Subordinate Judge,
Palani.

+1 cc to Mr.K.Kathiresan, Advocate Sr.No.11647

सत्यमेव जयते

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BR(CO)
CSL/15.03.2019

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