

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.04.2019

C O R A M

THE HONOURABLE MR.JUSTICE M. GOVINDARAJ

TR.CMP.NO.917 OF 2018
AND CMP NO.22634 OF 2018

Vijayalakshmi

.. Petitioner

Vs.

S.Mahesh

..Respondent

PRAYER:

Petition filed under Section 24 of the Civil Procedure Code to withdraw HMOP No.863 of 2017 on the file of Sub Court, Tambaram and transfer to the file of Sub Court, Tiruvarur.

For Petitioner : Mr.S.Udayakumar

For Respondent : Mr.S.M.Muralidharan

ORDER

This Transfer Civil Miscellaneous Petition is filed by the petitioner seeking to withdraw HMOP No.863 of 2017 from the file of Sub Court, Tambaram and transfer the same to Sub Court at Tiruvarur.

2. The petitioner is the wife. The respondent / husband filed HMOP No.863 of 2017 seeking divorce before the Sub Court, Tambaram. The petitioner is a resident of Nannilam Taluk, Tiruvarur District and even in the petition filed by the respondent/husband for divorce, the address of the petitioner is shown as Nannilam Taluk, Tiruvarur District. Pleading physical hardship for travelling from Tiruvarur to Tambaram, for every hearing, the petitioner seeks transfer of the petition filed by her husband before the Sub Court, Tambaram, to Sub Court, Tiruvarur.

***3. The Learned counsel for the respondent has vehemently opposed the transfer application.**

4. Considering the physical hardship caused to the petitioner/wife in travelling from Tiruvarur to Tambaram, to attend the hearings before the Sub Court, Tambaram, this Court is inclined to transfer the petition filed by the respondent/husband to Sub Court, Tiruvarur.

5. Accordingly, HMOP No.863 of 2017 pending on the file of Sub Court, Tambaram is withdrawn and transferred to Sub Court, Tiruvarur. The learned Sub Judge, Tiruvarur, is directed to renumber the petition; issue notice to both the parties and continue the proceedings from the stage where it stands and dispose of the same, as expeditiously as possible.

6. The Transfer Civil Miscellaneous Petition is disposed of accordingly. No costs. Consequently, connected civil miscellaneous petition is closed.

Sd/-

Deputy Registrar (CJ Conf.)

Dated : 19/06/2019

***Corrected as per order of
this Court dated 25.06.2019 in
Tr.CMP.NO.917/18**

Sd/-

Assistant Registrar

Dated : 24/07/2019

//True Copy//

Sub Assistant Registrar

TK

To

**To be substituted to the order
already dispatched on 24.06.2019**

1. The Sub Judge, Tambaram.

2. The Sub Judge, Tiruvarur.

+1cc to Mr.S.M.Muralidharan, Advocate, S.R.No.40524

+1cc to Mr.S.Udayakumar, Advocate, S.R.No.39361

***+1cc to Mr.S.M.Muralidharan, Advocate, S.R.No.52801**

***+1cc to Mr.S.Udayakumar, Advocate, S.R.No.52254**

TR.CMP.NO.917 OF 2018

CP(CO)

CS/19/06/2019

GMV(25/07/2019)