

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.04.2019

C O R A M

THE HONOURABLE MR.JUSTICE M. GOVINDARAJ

TR.CMP.NO.915 OF 2018
AND CMP NO.22443 OF 2018

Vijayalakshmi ... Petitioner/ Respondent

Vs.

Radhakrishnan ... Respondent/ Petitioner

PRAYER: Petition filed under Section 24 of the Civil Procedure Code to withdraw HMOP No.116/2018 pending on the file of Sub Court, Harur and transfer the same to Sub Court, Hosur.

For Petitioner : Mr.K.Thiruvengadam

For Respondent : No appearance

O R D E R

This Transfer Civil Miscellaneous Petition is filed by the petitioner seeking to withdraw HMOP No.116 of 2018 from the file of Sub Court, Harur and transfer the same to Sub Court, Hosur.

2. The petitioner is the wife. The respondent / husband filed HMOP No.116 of 2018 seeking restitution of conjugal rights before the Sub Court, Harur. The petitioner is a resident of Krishnagiri and the distance between the Sub Court, Harur and the place of residence of the petitioner at Krishnagiri is 130 Kms. Pleading physical hardship for travelling from Krishnagiri to Harur, along with her minor child, for every hearing, the petitioner seeks transfer of the petition filed by her husband before the Sub Court, Harur, to Sub Court, Hosur.

3. Despite the service of notice, none appears on behalf of the respondent.

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

5. Accordingly, HMOP No.116 of 2018 pending on the file of Sub Court, Harur is withdrawn and transferred to the Sub Court, Hosur. The learned Sub Judge, Hosur, 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/-

Assistant Registrar (CS VI)

//True Copy//

Sub Assistant Registrar

TK

To

1.The Sub Court
Harur.

2.The Sub Court
Hosur.

+1cc to Mr. K.Thiruvengadam, Advocate SR.No. 33335

TR.CMP.NO.915 OF 2018

A.SK (24/06/2019)

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