



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.10.2019

CORAM :

THE HONOURABLE MS.JUSTICE **P.T.ASHA**

TR.C.M.P. (MD) No.221 of 2019

and

C.M.P. (MD) No.5263 of 2019

D.Brindha Devi

... Petitioner/ Respondent

vs.

P.Venkatesh

... Respondent/ Petitioner

Prayer:-This Petition is filed under Section 24 of the Code of Civil Procedure, to withdraw and transfer the HMOP.No.82 of 2019 on the file of the Sub Court, Tirumangalam to Sub Court, Srivilliputhur.

For Petitioner : Mr.G.Thalaimutharasu
For Respondent : No appearance

ORDER

The above Transfer Civil Miscellaneous Petition is filed by the petitioner/wife seeking to transfer the petition in HMOP.No.82 of 2019 filed by the respondent/husband for divorce on the file of the Sub Court, Tirumangalam, to the file of the Sub Court, Srivilliputhur, since the petitioner is residing at Rajapalayam, Virudhunagar District.

2.None appeared on behalf of the respondent.

3.The petitioner/wife would contend that after the marriage, within few months she came to know that the respondent/husband was unemployed and whenever she questioned the same, the respondent had started to ill treat her by scolding in filthy language and assaulted her for which she was compelled to file a police complaint on 24.07.2018. The police officials have attempted to reconcile the dispute and advised the respondent to take her back to the matrimonial home. However, the attitude of the respondent had not changed. She would further contend that her parents had given sufficient cash and jewelry to the respondent which were taken away by her father-in-law on 07.02.2019 for which a criminal complaint has also been given to the police officials.



4.The petitioner/wife would further contend that she had received the summons in HMOP.No.82 of 2019 and now, she is totally depending on her parents for her day to day expenses. The respondent/husband has not been giving her any maintenance and she requires the assistance of another person to travel with her for every hearing to Thirumangalam and this is going to be an additional financial burden to her.

5.In view of the above, this Transfer Civil Miscellaneous Petition is allowed and the petition in HMOP.No.82 of 2019 pending on the file of the learned Sub Court, Tirumangalam, is ordered to be withdrawn and transferred to the file of Sub Court, Srivilliputhur. The learned Sub Court, Tirumangalam, is directed to transmit the entire records of HMOP.No.82 of 2019 to the learned Sub Court, Srivilliputhur, as expeditiously as possible. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (co)

// True Copy //

Sub Assistant Registrar(CS)

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To

1.The Subordinate Judge,
Thirumangalam.

2.The Subordinate Judge,
Srivilliputhur.

+1 CC to Mr.G.THALAIMUTHARASU, Advocate (SR-92442[F] dated 17/10/2019)

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