



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Date : 22.10.2019

CORAM

WEB COPY

THE HONOURABLE MS. JUSTICE P.T.ASHA

Tr.C.M.P. (MD) No.296 of 2019

and

C.M.P. (MD) No.6927 of 2019

Ammu @ Jayapradha

.. Petitioner/Respondent

Vs.

R.Silambarasan

.. Respondent/Petitioner

Prayer : Petition is filed under Section 24 of Civil Procedure Code, to withdraw the petition in H.M.O.P.No.153 of 2019 on the file of the Sub Court, Tiruchirappalli and transfer the same to any other competent Court in Perambalur Dindigul.

For Petitioner : Mr.A.P.Muthupandian

For Respondent : No Appearance

ORDER

The wife has filed the above Transfer Civil Miscellaneous Petition seeking to withdraw H.M.O.P.No.153 of 2019 filed by the respondent, for divorce, on the file of the Sub Court, Tiruchirappalli, to the file of the Sub Court, Perambalur on the ground that the petitioner is having a baby, who is one year old and further she is living at Perambalur and it would be difficulty for her to travel from Perambalur to Tiruchirappalli to prosecute the case. She would also contend that she had filed maintenance case in M.C.No.62 of 2019 before the learned Chief Judicial Magistrate, Perambalur, since the husband is not maintaining her and her child. The ground on which the divorce is sought for is that the the petitioner is suffering from epilepsy and breathing trouble.

2.Considering the aforesaid facts, the petition in H.M.O.P.No.153 of 2019 is ordered to be withdrawn and transferred from the file of the Sub Court, Tiruchirappalli, to the file of Sub Court, Perambalur. The learned Sub Judge, Tiruchirappalli, is directed to transmit the entire records in H.M.O.P.No.153 of 2019 to the Sub Court, Perambalur. The learned Sub Judge, Tiruchirappalli, is directed to conduct trial in H.M.O.P.No.153 of 2019 and dispose of the same on merits and in accordance with law.



3.This Transfer Civil Miscellaneous Petition is allowed accordingly. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS-II)

// True Copy //

Sub Assistant Registrar(CS)

Mrn

To

1.The Sub Judge, Tiruchirappalli,.

2.The Sub Judge, Perambalur.

+1CC TO MR.A.P.MUTHU PANDIAN, Advocate Sr. No. 93968

Tr.C.M.P. (MD) No.296 of 2019

NA(CO)

TR(19.11.2019) 2P 4C