



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **13.11.2019**

CORAM :

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

TR.C.M.P. (MD) No.65 of 2018
and
C.M.P. (MD) No.1598 of 2018

M.S.Kripa ... Petitioner/Respondent

vs.

S.G.Vijay ... Respondent/Petitioner

Prayer:-This Petition is filed under Section 24 of the Code of Civil Procedure, to withdraw and transfer the HMOP.No.365 of 2017 on the file of the Sub Court, Poonamallee to Subordinate Court, Padmanabhapuram and to direct the sub Court, Padmanabhapuram to dispose of the matter in a specified period.

For Petitioner : Mr.K.P.Narayanakumar

For Respondent : No appearance

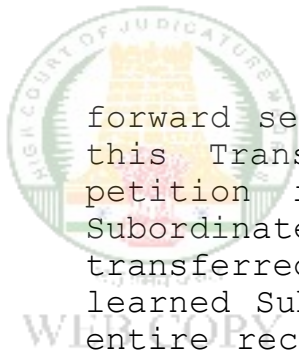
ORDER

The above Transfer Civil Miscellaneous Petition is filed by the petitioner/wife seeking to transfer the petition in HMOP.No.365 of 2017 filed by the respondent/husband for divorce on the file of the Sub Court, Poonmallee to the file of Sub Court, Padmanabhapuram.

2.No representation on behalf of the respondent.

3.The learned counsel appearing for the petitioner would submit that since the respondent/husband has not given any amount as maintenance to the petitioner/wife till date, she is totally depending on her parents for her financial needs and that the distance between Thuckalay to Thiruvallur District is 700 kms. It is very difficult for the petitioner to travel from Padmanabhapuram to Poonmallee by herself, which is going to be an additional financial burden to her. Further, the learned counsel would submit that if the matter may be transferred to the Sub Court, Padmanabhapuram, the presence of parties is not required for every hearing and therefore, no prejudice whatsoever would be caused to the respondent.

4.Considering the fact that the reasons that have been put
<https://hcservices.ecourts.gov.in/hcservices/>



forward seeking transfer of HMOP.No.365 of 2017 are not unfounded, this Transfer Civil Miscellaneous Petition is allowed and the petition in HMOP No.365 of 2017 pending on the file of the Subordinate Court, Poonamallee, is ordered to be withdrawn and transferred to the file of Subordinate Court, Padmanabhapuram. The learned Subordinate Judge, Poonamallee, is directed to transmit the entire records of H.M.O.P.No.365 of 2017 to the Subordinate Court, Padmanabhapuram, as expeditiously as possible. No costs. Consequently, connected miscellaneous petition is also closed.

Sd/-

Assistant Registrar (AD-I)

// True Copy //

Sub Assistant Registrar(CS)

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To

1.The Subordinate Judge,
Poonamallee.

2.The Subordinate Judge,
Padmanabhapuram.

+1 CC to M/s.K.P.NARAYANA KUMAR, Advocate (SR-98216[F] dated 14/11/2019)

TR.C.M.P. (MD) No.65 of 2018
13.11.2019

JMN(10.12.2019) 2P : 4C