



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 17.10.2019
CORAM :

THE HONOURABLE MS.JUSTICE P.T.ASHA

Tr.C.M.P(MD)No.370 of 2019
and C.M.P. (MD) No.8513 of 2019

N.Santhasheela ... Petitioner/Respondent-wife

Vs.

B.Sundarrajan @ Sundararajan ... Respondent/Petitioner-Husband

PRAYER: Transfer Civil Miscellaneous Petition is filed under Section 24 of Civil Procedure Code to withdraw the case on the file of the Subordinate Judge, Mudhukulathur in H.M.O.P.No.48 of 2019 and transfer the same to the learned Subordinate Court, Madurai.

For Petitioner : Mr.B.Sudhasathanath

For Respondent : No appearance

J U D G M E N T

This Transfer Civil Miscellaneous Petition is filed by the wife, who seeks transfer of proceedings for divorce filed by the husband before the Subordinate Court, Mudhukulathur in H.M.O.P.No.48 of 2019 to the file of the Sub Court, Madurai.

2. The petitioner would submit that she is residing at Madurai and she is also having care and custody of her 10 year old daughter, who is now studying in a school in Paravai Village, Madurai District. The petitioner is entirely depending on her aged father, who is also suffering several ailments for her upkeep and maintenance. She would submit that she would have to travel 4 hours to reach Mudhukulathur and further, the respondent/husband is highly influential in that area and she would be physically threatened if she is directed to go before the Subordinate Judge, Mudhukulathur. For those reasons, she sought transfer.

3. Heard the learned counsel for the petitioner. Though the respondent's name has been printed in the cause list, he has not chosen to appear either in person or through counsel.

4. In the interest of justice, I am inclined to issue following directions:

- i) The learned Subordinate Judge, Mudhukulathur, is directed to transmit the entire records in H.M.O.P.No.48



of 2019 to the file of the Subordinate Court, Madurai, within a period of two weeks from the date of receipt of copy of this order.

ii) the Subordinate Judge, Madurai, after obtaining the records on transfer, is directed to dispose of the same as expeditiously as possible in accordance with law.

5. In the result, this transfer civil miscellaneous petition is allowed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar

// True Copy //

Sub Assistant Registrar(CS)

To

- 1.The Subordinate Judge, Mudhukulathur
- 2.The Subordinate Court, Madurai.

+1 CC to M/s.B.SUDHA SATHYANANTH, Advocate (SR-92625[F] dated 17/10/2019)

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cm

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