



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 15.11.2019

CORAM

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

TR.C.M.P. (MD) No.381 of 2019

and

C.M.P. (MD) No.8737 of 2019

Durga Ragavi

... Petitioner/Respondent

Vs.

V.Govardhan @ Subramania Sharma

... Respondent/ Petitioner

PRAYER:- Transfer Civil Miscellaneous Petition filed under Section 24 of C.P.C., to withdraw the H.M.O.P.No.196 of 2019 on the file of the Sub Court, Tambaram and transfer to Principal Sub Court, Thanjavur and to try along with H.M.O.P.No.117 of 2019 pending on the file of the Principal Sub Court, Thanjavur.

For Petitioner : Mr.G.Karnan

For Respondent : No Appearance

ORDER

The above Transfer Civil Miscellaneous Petition has been filed by the wife seeking transfer of the case in H.M.O.P.No. 196 of 2019 from the file of the learned Sub Court, Tambaram to the file of learned Principal Sub Court, Thanjavur to be tried along with petition for divorce filed by the petitioner / wife.

2.Though the notice is served to the respondent and his name is also printed in the cause list, he did not appear either through counsel or in person, when the matter was called, today.

3.The reason given for the transfer is that the respondent / husband has not been maintaining the petitioner and she totally depends on her aged parents. It is difficult for her to travel all the way to Tambaram to attend all the hearings in H.M.O.P.No.196 of 2019 and it would also be very expensive for her. The petitioner being a lady would also require assistant of the third person to take her to Tambaram and it would be a physical as well as financial hardship to her.

4.I find some considerable force in the submissions of the learned counsel for the petitioner. Accordingly, this transfer civil miscellaneous petition is allowed and the petition in H.M.O.P (MD) No.196 of 2019 is ordered to be withdrawn and transferred from the file of the Sub Court, Tambaram to the file of Principal Sub Court, Thanjavur. The learned Sub Court, Tambaram, is directed to transmit the entire records in H.M.O.P(MD) No.196 of 2019 to the



Principal Sub Court, Thanjavur and the learned Principal Sub Court, Thanjavur, is directed to dispose of the same along with the petition H.M.O.P.No.117 of 2019 on merits and in accordance with law. No costs. Consequently, connected miscellaneous petition is closed.

WEB COPY

Sd/-

Assistant Registrar (CS-II)

// True Copy //

Sub Assistant Registrar(CS)

gns

To

1.The Judge, Sub Court, Tambaram.

2.The Principal Sub Judge, Thanjavur.

+1 CC to Mr.G.KARNAN, Advocate (SR-99432[F] dated 19/11/2019)

TR.C.M.P. (MD) No.381 of 2019
15.11.2019

VB(06.12.2019) 2P 4C