



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 24.10.2019

CORAM

WEB COPY

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

Tr.C.M.P. (MD)No.386 of 2019
and
C.M.P(MD) No.8844 of 2019

A.Rajasekaran

... Petitioner

Vs.

R.Valarmathi

... Respondent

PRAYER:- Petition filed under Section 24 of Civil Procedure Code, to withdraw the H.M.O.P.No.224 of 2018 on the file of the learned Subordinate Judge, Sivakasi and to transfer the same to the learned Sub Court, Pudukottai of Pudukottai.

For Petitioner : Mr.I.Saliyakhan

For Respondent : No Appearance

ORDER

The above Transfer Civil Miscellaneous Petition has been filed by the husband seeking to transfer the case in H.M.O.P.No.224 of 2018, which is filed by the wife on the file of the learned Subordinate Judge, Sivakasi to the file of learned Sub Court, Pudukottai.

2.The above said application is filed for divorce. The transfer is sought for on the ground that the petitioner is unemployed and therefore, he will not be able to travel all the way to Sivakasi to attend hearings. The reasons given to transfer the case is absolutely without any basis. Even according to the petitioner, the respondent/wife is working at Nagapattinam and she is commuting from a ladies hostel. If the proceedings is transferred to Pudukottai, the wife will be put to the additional burden of travelling for work and her permanent address is at Sivakasi.

3.Under these circumstances, if the case in H.M.O.P.No.224 of 2018 is directed to be transfer to the file of learned Sub Court, Pudukottai, it would be put great hardship on the respondent/wife. This Court does not find any reasons to transfer the above case. Accordingly, this transfer civil miscellaneous petition is



WEB COPY

2

dismissed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar ()

// True Copy //

Sub Assistant Registrar(CS)

gns

To

The Subordinate Judge, Sivakasi.

Tr.C.M.P. (MD)No.386 of 2019
24.10.2019

VB(08.11.2019) 2P 2C