

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.07.2020

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

Tr.C.M.P.No.116 of 2020

G.Lakshmi .. Petitioner/Respondent

-vs-

S.Vijayakumar .. Respondent/Petitioner

Transfer Civil Miscellaneous Petition filed under Section 24 of the Civil Procedure Code, to withdraw the H.M.O.P.No.337 of 2019 on the file of the Sub Court, Ponneri and transfer the same to the Sub Court, Virudhunagar.

For Petitioner :: Mr.S.Angamuthu

For Respondent :: No appearance

ORDER

Heard learned counsel for the petitioner through video conferencing due to the Covid-19 pandemic.

2. The petitioner, Mrs.G.Lakshmi, Wife of Mr.S.Vijayakumar, the respondent herein has prayed for withdrawal of the H.M.O.P.No.337 of 2019 from the file of the Sub Court, Ponneri and transfer the same to the file of the Sub Court, Virudhunagar, as the distance between Ponneri and Virudhunagar is 1100 Kms., to and fro.

3. Learned counsel appearing for the petitioner stated that after the marriage was solemnized between the parties on 17.6.2018 at K.C.S. Sivasami Nadar Arangam, Vadiyangate, Kalasampatti, Virudhunagar, as per the Hindu rites and customs, the respondent started showing his true colours, because he used to pick wordy quarrel under the influence of alcohol. Sometimes he will attack the petitioner without any reason. In spite of such cruel behaviour, the petitioner lived with the respondent. But the respondent attacked the petitioner and sent her out of the matrimonial home. Therefore, the petitioner came back to her parental home and presently residing with her mother in Virudhunagar, as her father passed away. Subsequently, the

respondent has also filed the H.M.O.P.No.337 of 2019 before the Sub Court, Ponneri on the ground of cruelty. As the distance between Virudhunagar and Ponneri is 1100 Kms., to and fro, she cannot come down to Chennai for every hearing. Therefore, the matter may be transferred.

4. Although service of notice through Court and privately were complete on the respondent, he has not entered appearance. That shows that he has no objection for allowing the transfer civil miscellaneous petition. Secondly, the distance between Virudhunagar and Ponneri is about 1100 Kms., to and fro. Since the petitioner has also lost her father, she cannot undertake a long journey to Ponneri from Virudhunagar. Therefore, the transfer civil miscellaneous petition stands allowed and the H.M.O.P.No.337 of 2019 is withdrawn from the file of the Sub Court, Ponneri and transferred to the file of the Sub Court, Virudhunagar for an expeditious disposal on merits. Consequently, C.M.P.No.4048 of 2020 is closed.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

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To

1. The Subordinate Judge
Ponneri
2. The Subordinate Judge
Virudhunagar

Tr.C.M.P.No.116 of 2020

NR(CO)
GS(26/08/2020)

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