

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.10.2020
CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

TR.C.M.P.NO.205 OF 2020

S.Raveetha

.. Petitioner

-vs-

K.Rameshkumar

.. Respondent

Transfer Civil Miscellaneous Petition filed under Section 24 of the Civil Procedure Code, to withdraw and transfer the H.M.O.P.No.32 of 2019 on the file of the Subordinate Court at Tirupattur, Vellore District to the Subordinate Court at Ranipet.

For Petitioner :: Mr.S.Salai Geethan

For Respondent :: No appearance

ORDER

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

2. Mrs.S.Raveetha, the petitioner herein, having married Mr.K.Rameshkumar, the respondent herein on 3.9.2017 in the CKM Marriage Hall, Railway Station Road, Tirupattur Town, it is pleaded, fulfilled her duties as a respectful wife. It is also stated that the respondent has been working as Teacher in a private school in Barkoor. When the couple were living together only for six months, due to the misunderstanding that had cropped up between them, the petitioner was forcibly driven out of the matrimonial home. Even the in-laws also did not allow the petitioner to live happily with the respondent, because they always interfered with her personal affairs. Therefore, while the petitioner was in her parental home, taking advantage of that, the respondent has filed the H.M.O.P.No.32 of 2019 before the Sub Court, Tirupattur, Vellore District seeking divorce. As the distance from her place of residence to the Sub Court, Tirupattur is about 120 Kms., on one side, it will be difficult for the petitioner to undertake a long journey. Hence, she has been advised to come to this Court seeking transfer of the H.M.O.P.No.32 of 2019 from the file of the Sub Court, Tirupattur, Vellore District to the file of the Sub Court, Ranipet.

3. Though both Court notice and private notice were served upon the respondent, he has not come forward to appear in person or through a counsel. That shows that the respondent has no objection for allowing the transfer plea. Secondly, when the distance from the place of residence of the petitioner to the Sub Court, Tirupattur is about 120 Kms., on one side, it will be difficult for the petitioner to undertake a journey of 240 Kms. Thirdly, video conferencing facility has been made available due to the Covid-19 pandemic situation. Therefore, accepting the prayer of the petitioner, the H.M.O.P.No.32 of 2019 is withdrawn from the file of the Sub Court, Tirupattur, Vellore District and transferred to the file of the Sub Court, Ranipet for disposal on merits. However, taking into account the Covid-19 pandemic situation, the learned Subordinate Judge, Ranipet shall permit the respondent to avail the video conferencing facility so that not only the crowding in the Court as well as in the public place can be avoided, but also the social distancing can be maintained to prevent the further spread of the corona virus. Needless to mention that learned counsel for the parties shall also file the list of witnesses to be examined, both in chief and cross, to enable the Court below to dispose of the matter on merits expeditiously. With this observation, the transfer civil miscellaneous petition stands allowed. Consequently, C.M.P.No.6264 of 2020 is closed.

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

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To

1. The Subordinate Judge
Tirupattur, Vellore District
2. The Subordinate Judge
Ranipet

+1cc to Mr.R.Siddharth, Advocate, S.R.No.33171

Tr.C.M.P.No.205 of 2020

GMR(CO)
CS/29/10/2020