

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 10.11.2020

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

Tr.C.M.P. No.495 of 2020 and C.M.P. No.12354 of 2020

M.Sumathi

.. Petitioner

-vs-

S.Manimaran @ Manibalan

... Respondent

Prayer: Petition filed under Section 24 of C.P.C. to withdraw the H.M.O.P.No.642 of 2019 on the file of the Sub Court, Puducherry and transfer the same to Sub Court, Neyveli for further proceedings.

For Petitioner : Mr.Gopi For
Mr.M.Selvam

O R D E R

M.Sumathi, the petitioner herein has filed this petition for transfer of H.M.O.P. No.642 of 2019 pending on the file of the Sub Court, Puducherry to the file of the Sub Court, Neyveli.

2.Learned counsel appearing for the petitioner would submit that after solemnisation of marriage on 30.11.2012 as per the Hindu rites and customs at No.3, Devanatha Swami Sannithi Thiruvanthipuram, Cuddalore between the petitioner and the respondent, they started living happily. In spite of interference from the family members of the respondent, the petitioner continued with the family. Though the petitioner conceived thereafter, unfortunately the male child died at birth. Subsequently, the respondent filed a petition in H.M.O.P. No.642 of 2019 before the Sub Court, Puducherry for divorce on untenable grounds. Learned counsel for the petitioner would further submit that since the distance between Neyveli and Puducherry is more than 70 kms., it will be unsafe for the petitioner to undertake such a long journey during this Covid-19 pandemic situation.

3.This Court is not inclined to go into the merits of the case. If it is the submission of the petitioner that it will be unsafe and risk for her to undertake such a long journey during this Covid-19 pandemic situation, the same would be applicable to the respondent as well. Accordingly, this petition fails and the same is dismissed. The Sub Court, Puducherry is directed to provide the benefit of video conferencing to the petitioner, if she makes an application seeking the benefit of video conferencing. Consequently, C.M.P. No.12354 of 2020 is closed. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

vga

To

1.The Sub Court,
Puducherry.

2.The Sub Court,
Neyveli.

+1 cc to Mr.M.Selvam, Advocate Sr.No. 36559

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PM(CO)
RMP (11/12/2020)

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