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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.01.2020

CORAM:

THE HONOURABLE MR. JUSTICE R.SUBRAMANIAN

TR.C.M.P. (MD) No.475 of 2019

and

C.M.P (MD) No.11145 of 2019

Visali @ Ramya

... Petitioner

vs.

Rajaram

... Respondent

PRAYER: This Transfer Civil Miscellaneous Petition is filed under Section 24 of Civil Procedure Code, to withdraw the H.M.O.P.No.273 of 2019 on the file of the Principal Sub Court, Pudukottai and transfer to Sub Court, Devakottai, Sivagangai.

For Petitioner

: Mr.V.Karuna

For Respondent

: Mr.C.Jeganathan

for M/s.Veera Associates

ORDER

The petitioner / wife seeks transfer of H.M.O.P.No.273 of 2019 filed by the respondent / husband seeking divorce under Section 13 (1) (i-a) of the Hindu Marriage Act.

2. According to the petitioner, she is the permanent resident of Karaikudi in Sivagangai District. The proceedings have been initiated by the husband on the file of the Principal Sub Court, Pudukottai, which is situated about 79 kilometers away from Karaikudi. She seeks transfer of the said proceedings to the file of the Sub Court, Devakottai, so that it will be convenient for her to attend the hearings.

3. The learned counsel for the respondent / husband would submit that though he has filed the petition at Pudukottai, he is a permanent resident of Chennai and he is working at Chennai.

4. Considering the convenience of the parties, I find that transfer of the petition in H.M.O.P.No.273 of 2019 to Devakottai from Pudukottai will not in any way alter the position of the respondent / husband as admittedly he has to travel from Chennai either to Devakottai or Pudukottai. The distance between Pudukottai and Devakottai is being only 49 kilometers, I do not think that transfer of the proceedings to Devakottai will cause any undue hardship to the respondent / husband. Hence, this transfer petition is allowed and the proceedings in H.M.O.P.No.273 of 2019 is



withdrawn from the file of the Principal Sub Court Pudukottai and transferred to the Sub Court, Devakottai. The Principal Sub Court, Pudukottai is directed to forward the papers to the Sub Court, Devakottai for further proceedings. No costs. Consequently, connected miscellaneous petition is closed.

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Sd/-

Assistant Registrar ()

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

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To

1.The Principal Sub Court,
Pudukottai.

2.The Sub Court, Devakottai.

+1 CC to M/s.V.KARUNA, Advocate (SR-76[F] dated 03/01/2020)

+1 CC to M/s.VEERA ASSOCIATES, Advocate (SR-80[F] dated 03/01/2020)

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