



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.08.2021

CORAM:

THE HONOURABLE MR.JUSTICE A.A.NAKKIRAN

Tr.C.M.P.No.346 of 2021
and
C.M.P.No.8139 of 2021

[Through video conferencing]

P.Sindhukavi		... Petitioner
	-vs-	
K.Pandiyarajan		... Respondent

PRAYER: Transfer Civil Miscellaneous Petition is filed under Section 24 of the Code of Civil Procedure, to transfer the said H.M.O.P.No.25 of 2020 which is pending on the file of the Principal Subordinate Court, Ponneri to the Subordinate Court, Karaikudi.

For Petitioner : Mr.N.R.Kaushik

For Respondent : Mr.George Graham
For Mr.Devadason and Sagar

O R D E R

The present Transfer Civil Miscellaneous Petition is filed to transfer the H.M.O.P.No.25 of 2020 from the file of the Principal Subordinate Court, Ponneri to the file of the Subordinate Court, Karaikudi.

2.The respondent/husband has filed H.M.O.P.No.25 of 2020 before the Principal Subordinate Court at Ponneri for divorce.

3.The learned counsel for the petitioner/wife submitted that the petitioner is residing with her aged parents house at Karaikudi. Moreover, she is depending on her aged and sick parents and the petitioner is being a lady, it is very difficult for the petitioner to travel from Veppur to Namakkal for attending the Court on every hearings in F.C.O.P.No.16 of 2020. Therefore, he seeks to transfer the case from Ponneri to Karaikudi.



4.The learned counsel for the respondent/husband has strongly opposed to transfer the case from the file of the Principal Subordinate Court, Ponneri to the file of the Subordinate Court, Karaikudi.

5.Heard the learned counsel on either side and perused the materials placed on record.

6.Considering the facts and circumstances of the case and the submissions made by both the counsel, this Court is inclined to transfer the case to the file of the Subordinate Court at Karaikudi.

7.Accordingly, H.M.O.P.No.25 of 2020 is withdrawn from the file of the Principal Subordinate Court at Ponneri and transferred to the file of the Subordinate Court at Karaikudi, for disposal as per law. The Principal Subordinate Court at Ponneri, is directed to transmit the papers to the file of the Subordinate Court at Karaikudi, forthwith. The learned Subordinate Judge at Karaikudi is directed to dispose of the case in H.M.O.P.No.25 of 2020 on merits and in accordance with law as expeditiously as possible.

8..In fine, this Transfer Civil Miscellaneous Petition is allowed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

ssi

To:

1.The Principal Subordinate Court,
Ponneri.

2.The Subordinate Court,
Karaikudi.

+1cc to M/s.Devadason & Sagar, Advocate Sr No.39878

Tr.C.M.P.No.346 of 2021
and C.M.P.No.8139 of 2021

SPD (CO)
PR (31/08/2021)