



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.369 OF 2021

AND

C.M.P.NO.8565 OF 2021

[Through Video Conferencing]

Sarguna

... Petitioner

-Vs-

S.Suryavarma

... Respondent

PRAYER:-

Transfer Civil Miscellaneous Petition is filed under Section 24 of the Code of Civil Procedure, to withdraw the I.A.No.1 of 2021 in unnumbered H.M.O.P.No. of 2021 on the file of the I Additional Subordinate Court, Salem and transfer to the Subordinate Court, Chidambaram and pass such further or other orders as this Court may deem fit and proper in the circumstances of the case.

For Petitioner : Mr.K.Sadhanantham

For Respondent : Mr.Sarfudeen Ali Ahamed

O R D E R

The present Transfer Civil Miscellaneous Petition is filed to withdraw the I.A.No.1 of 2021 in unnumbered H.M.O.P.No. of 2021 on the file of the I Additional Subordinate Court, Salem and transfer to the Subordinate Court, Chidambaram.

2. The respondent/husband has filed I.A.No.1 of 2021 in unnumbered H.M.O.P.No. of 2021 before the I Additional Subordinate Court at Salem for divorce.

3. The learned counsel for the petitioner/wife submitted that the petitioner is residing with her parents house at Chidambaram. The distance between Chidambaram and Salem is



around 200 kms and if the petitioner attends the Court hearing at Salem, there would be life threat at the hands of the respondent. Moreover, the petitioner has no source of income and she is depending on her aged parents and in this circumstances, it is very difficult for the petitioner to travel from Chidambaram to Salem for attending the Court on every hearings in I.A.No.1 of 2021 in unnumbered H.M.O.P.No. of 2021. Therefore, he seeks to transfer the case from the file of the I Additional Subordinate Court at Salem to the file of the Subordinate Court at Chidambaram.

4. The learned counsel for the respondent/husband has strongly opposed to transfer the case from the file of the I Additional Subordinate Court at Salem to the file of the Subordinate Court at Chidambaram.

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 learned counsel, this Court is inclined to transfer the case to the file of the Subordinate Court at Chidambaram.

7. Accordingly, I.A.No.1 of 2021 in unnumbered H.M.O.P.No. of 2021 is withdrawn from the file of the I Additional Subordinate Court at Salem to the file of the Subordinate Court at Chidambaram, for disposal as per law. The I Additional Subordinate Court at Salem, is directed to transmit the papers to the file of the Subordinate Court at Chidambaram, forthwith. The learned Subordinate Judge at Chidambaram is directed to dispose of the case in I.A.No.1 of 2021 in unnumbered H.M.O.P.No. of 2021 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 I Additional Subordinate Court,
Salem.

2. The Subordinate Court,
Chidambaram.

+1cc to Mr.Sarfudeen Ali Ahamed, Advocate, S.R.No.39323

+1cc to Mr.K.Sadhanantham, Advocate, S.R.No.39491

TR.C.M.P.NO.369 OF 2021 AND
C.M.P.NO.8565 OF 2021

SSV(CO)
PBS/02/09/2021