



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :17.06.2021

CORAM:

THE HONOURABLE MR.JUSTICE A.A.NAKKIRAN

Tr.C.M.P. (MD) No.191 of 2021

and

C.M.P. (MD)No.3696 of 2021

P.Saranya ... Petitioner/Respondent

-vs-

R.Rameshkumar ... Respondent/Petitioner

PRAYER: Transfer Civil Miscellaneous Petition is filed under Section 24 of the Code of Civil Procedure, to withdraw the divorce petition in H.M.O.P.No.63 of 2020 from the file of Sub Court, Vedasanthur and transfer the same to the file of Principal Sub Court, Trichy.

For Petitioner : Mr.R.Sundar

For Respondent : No appearance

O R D E R

The present Transfer Civil Miscellaneous Petition is filed to withdraw the divorce petition in H.M.O.P.No.63 of 2020 from the file of Sub Court, Vedasanthur and transfer the same to the file of Principal Sub Court, Trichy.

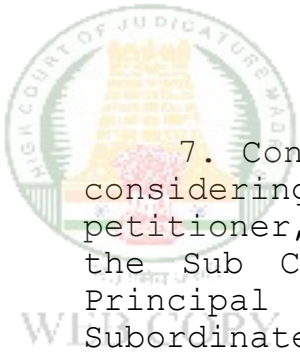
2.The respondent/ husband has filed H.M.O.P.No.63 of 2020 before the Sub Court, Vedasanthur, for divorce.

3.The learned counsel for the petitioner submitted that the petitioner is having one female child, who is aged about 7 years and she is living with her parents at Trichy and she is not having any other income. The distance between Trichy to Vedasandhur is 100 kms. In such circumstances, without any financial aid, it is very difficult for the petitioner to travel from Trichy to Vedasandhur for attending every hearing in H.M.O.P.No.63 of 2020 on the file of the Sub Court, Vedasanthur.

4.Though the name of the respondent is printed in the cause list, the respondent has not chosen to appear either in person or through counsel duly instructed.

5. This Court considered the arguments made by the learned counsel for the petitioner.

6. This Court is satisfied with the reasons stated in the affidavit filed in support of this petition.



7. Considering the facts and circumstances of the case and also considering the submissions made by the learned counsel for the petitioner, H.M.O.P.No.63 of 2020 is withdrawn from the file of the Sub Court, Vedasanthur and transferred to the file of the Principal Sub Court, Trichy for disposal as per law. The Subordinate Judge, Vedasanthur, is directed to transmit the papers to the Principal Sub Court, Trichy, forthwith. The Principal Subordinate Judge, Trichy, is directed to dispose H.M.O.P.No.63 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(CS-III)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

msa/cp

To:

1. The Subordinate Judge, Vedasanthur.
2. The Principal Subordinate Judge, Trichy.

Order made in
Tr.C.M.P. (MD) No.191 of 2021
and
C.M.P. (MD)No.3696 of 2021
Dated: 17.06.2021

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