



Tr.C.M.P(MD)No.608 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 12.06.2023

CORAM

THE HON'BLE MR.JUSTICE C.SARAVANAN

Tr.C.M.P(MD)No.608 of 2022
and
C.M.P(MD)No.9740 of 2022

D.Rajalakshmi

...Petitioner/Respondent

Vs.

T.Jeyakumar

...Respondent/Petitioner

PRAYER : Transfer Civil Miscellaneous Petition is filed under Section 24 of Code of Civil Procedure, to withdraw the petition in H.M.O.P.No. 151 of 2022 pending before the learned Subordinate Court, Tirumangalam, Madurai District and transfer the same to the file of the learned Subordinate Court, Srivilliputhur, Virudhunagar District.

For Petitioner : No Appearance

For Respondent : Mr.I.Murugesan

ORDER

The present Transfer Civil Miscellaneous Petition has been filed to transfer H.M.O.P.No.151 of 2022 on the file of the Subordinate Court,



Tr.C.M.P(MD)No.608 of 2022

Tirumangalam, Madurai District to the file of the Subordinate Court,
Srivilliputhur, Virudhunagar District.

2. There is no representation on behalf of the petitioner.

3. The petitioner has entered appearance as early as on 19.10.2022.

This Court had earlier granted an interim order and on 09.12.2022, the matter was referred for mediation. The Mediation and Conciliation Centre return the papers stating that the mediation has failed.

4. The petitioner in her affidavit filed in support of the petition stated as follows:

"12. I respectfully submit that the above petition is filed by the respondent /husband only with an intention to harass and torture and cause mental agony. A whole reading of the HMOP petition it clearly reveals that there are only bald and wild allegations made against me. I respectfully reiterate that we belong to very poor family and after the retirement of my father we do not have income whatsoever except the meagre sum of Rs. 1790/- which is derived through monthly pension by my father. Thus we do not have any income whatsoever. In fact whatever savings amounts were available with my parents all such amounts were spent for my marriage. Further my parents being at their very old age are suffering with several ailments. I do not have any amount to travel for every court hearing from Srivilliputhur to Thirumangalam court hearings. Further the



Tr.C.M.P(MD)No.608 of 2022

distance between Srivilliputhur and Tirumangalam is about 70 kms and being a lonely women it is very difficult for me to attend all court hearings at Thirumangalam. Further since my husband and his family members are hailing from rich people they are having money power, muscle power and hence I am apprehending every danger to my life and limb if at all I attend the further hearings at Tirumangalam."

5. The submission of the petitioner is reasonable. Further, the Hon'ble Supreme Court in the case of ***Aarti Rani @ Pinki Devi and others Vs Dharmender Kumar Gupta*** reported in **2008 (9) SCC 353** held that convenience of woman is to be taken into consideration.

6. Being satisfied with the reasons stated in the affidavit filed in support of the petition, the present Transfer Civil Miscellaneous Petition stands allowed by transferring H.M.O.P.No.151 of 2022 on the file of the Subordinate Court, Tirumangalam, Madurai District to the file of the Subordinate Court, Srivilliputhur, Virudhunagar District. No costs. Consequently, connected miscellaneous petition is closed.

12.06.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
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Tr.C.M.P(MD)No.608 of 2022

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To

- 1.The Subordinate Court,
Tirumangalam,
Madurai District.
- 2.The Subordinate Court,
Srivilliputhur,
Virudhunagar District.
- 3.The Section Officer,
Vernacular Section,
Madurai Bench of Madras High Court,
Madurai.



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Tr.C.M.P(MD)No.608 of 2022

C.SARAVANAN ,J.

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Tr.C.M.P(MD)No.608 of 2022

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