

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.11.2015

CORAM :

THE HONOURABLE MS. JUSTICE R.MALA

Tr.C.M.P.No.396 of 2015

and

M.P.No.1 of 2015

K.Brindha

...Petitioner

Vs.

S.Prabhu

...Respondent

Prayer:- Petition has been filed under Section 24 of C.P.C., praying to withdraw H.M.O.P.No.665 of 2014 pending on the file of Sub Court, Tambaram and transfer the same to the Family Court, Coimbatore.

For Petitioner : Mr.B.S.Sundaramoorthi

For Respondent : Mr.S.Sivakumar

O R D E R

Heard both sides.

2. The petitioner herein, who is the respondent in H.M.O.P.No.665 of 2014 has come forward with this application seeking to withdraw the said case, pending on the file of Sub Court, Tambaram and transfer the same to the Family Court, Coimbatore.

3. The learned counsel appearing for the petitioner submitted that the respondent herein, who is the husband of the petitioner herein, filed H.M.O.P.No.665 of 2014 on the file of the Sub Court, Tambaram, for divorce on the ground of cruelty. He further submitted that the petitioner herein is residing at Coimbatore along with her father, who is aged about 61 years and mother, who is aged 55 years and she has a child aged 1 year 5 months, hence, she alone has to travel from Coimbatore to Tambaram and therefore, she finds it difficult to attend each and every hearing before the Sub Court, Tambaram. Hence, she has come forward with this

petition to transfer H.M.O.P.No.665 of 2014 from the file of the Sub Court, Tambaram, to the file of the Family Court, Coimbatore.

4. The learned counsel for the respondent submitted that the respondent has no objection in transferring the H.M.O.P., case from Sub Court, Tambaram to the Family Court, Coimbatore.

5. Considering the submission made by the learned counsel appearing for the petitioner and the averments made in the affidavit filed in support of this petition, H.M.O.P.No.665 of 2014 is ordered to be withdrawn from the file of the Sub Court, Tambaram and transferred to the file of the Family Court, Coimbatore for disposal in accordance with law. The Subordinate Judge, Tambaram, is directed to transmit the records pertaining to H.M.O.P.No.665 of 2014 to the file of the Family Court, Coimbatore, within a period of two weeks from the date of receipt of a copy of this order.

6. Accordingly, this Transfer Civil Miscellaneous Petition is ordered. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

nvsri

To

1. The Subordinate Judge,
Tambaram.

2. The Judge,
Family Court, Coimbatore.

1 CC to Mr.S.Sivakumar, Advocate SR.No. 61327

1 CC to Mr.B.S.Sundaramoorthi, Advocate SR.No. 61373

Tr.C.M.P. No.396 of 2015

MSM (CO)

PSI (07.12.2015)