

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:16.06.2016

CORAM

THE HONOURABLE MR.JUSTICE C.T.SELVAM

Tr.CMP.No.710 of 2015

and

M.P.No.1 of 2015

M.Kalaivani

... Petitioner

Vs.

Adaikappan @ KarthickRajan.D

... Respondent

Transfer Civil Miscellaneous Petition filed under Section 24 of the Civil Procedure Code, 1906, praying to withdraw H.M.O.P.No.3269 of 2015 pending on the file of Family Court Judge No.2, Chennai and transfer the same to the file of Family Court, Coimbatore.

For Petitioner :Mr.S.Gunalan

For Respondent :Mr.R.Jayaprakash

O R D E R

Petitioner has filed the present petition seeking transfer of H.M.O.P.No.3269 of 2015 on the file of II Family court, Chennai, to the file of Family Court,Coimbatore.

2. Learned counsel for petitioner submits that the respondent/husband has filed H.M.O.P.No.3269 of 2015 on the file of II Family Court, Chennai, seeking divorce. Submitting that petitioner/wife is residing at Coimbatore, she has to take care of her one year child and aged parents and hence, she finds it difficult to travel to Chennai to attend the hearing of the case, learned counsel prays for transfer.

3. Learned counsel for the respondent submits that transfer of H.M.O.P.No.3269 of 2015 on the file of II Family court, Chennai, to the file of Family Court, Coimbatore, would cause the respondent grave inconvenience.

4. Considering the rival submissions and the further position that the petitioner has to take care of her one year child and she finds it difficult to travel to Chennai, this Court is of the view that the petition is to be allowed. Accordingly, this Court directs transfer of H.M.O.P.No.3269 of 2015 pending on the file of II Family court, Chennai to the file of Family Court, Coimabtoire. The Court below shall not insist upon the presence of the respondent/husband for each and every hearing except for the important hearing dates.

The Transfer Civil Miscellaneous Petition, accordingly, is ordered. No costs. Consequently, connected miscellaneous petition is closed.

kkd

Sd/-
Asst.Registrar

/true copy/

Sub Asst. Registrar

To

1.The Judge, No.II Family Court,
Chennai.

2. The Judge, The Family Court,
Coimbatore.

+ 1 cc to Mr.R.Jayaprakash, Advocate Sr 33364

+ 1 cc to Mr.S.Gunalan, Advocate Sr 33172

KR/6/7/16

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