

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 21.09.2016

CORAM

THE HONOURABLE Mr. JUSTICE K.K.SASIDHARAN

Tr.C.M.P.No.168 of 2016
and C.M.P.No.4769 of 2016

N.Sri Iswarya ... Petitioner /Respondent

Vs

R.Vigneyswaran ... Respondent/Petitioner

Transfer Civil Miscellaneous Petition filed under Section 24 of C.P.C. to withdraw the case in H.M.O.P.No.13 of 2014 pending before the Family Court, Coimbatore, and transfer the same to the Family Court, Trichy and tried along with H.M.O.P.No.232 of 2015.

For Petitioner : Mrs.Geetha Ramaseshan

For Respondent : Mrs.Sri Ranjani

O R D E R

The petitioner filed this transfer petition for withdrawal of the proceedings in H.M.O.P.No.13 of 2014 from the file of the Family Court, Coimbatore and transfer the same to the Family Court, Tiruchirapalli to be tried along with H.M.O.P.No.232 of 2015.

2. Heard the learned counsel for the petitioner and the learned counsel appearing for the respondent.

3. The respondent filed proceedings in H.M.O.P.No.13 of 2014 before the Family Court, Coimbatore for dissolution of marriage. The petitioner on the other hand, filed H.M.O.P.No.232 of 2015 before the Family Court, Tiruchirapalli for restitution of conjugal rights. The petitioner being the respondent in H.M.O.P.No.13 of 2014, now seeks an order to transfer the proceedings to the Family Court, Tiruchirapalli.

4. The petitioner is a permanent resident of Tiruchirapalli. According to the petitioner, it would not be possible for her to travel all along to Coimbatore for the purpose of defending the proceedings in H.M.O.P.No.13 of 2014.

The petitioner is stated to be unemployed and the respondent

on the other hand is employed in TCS. There is nothing on record to disbelieve the case pleaded by the petitioner. I am therefore of the view that the transfer petition deserves to be allowed.

5. In the result, the proceedings in H.M.O.P.No.13 of 2014 is withdrawn from the file of the Family Court, Coimbatore and is transferred to the file of the Family Court, Tiruchirapalli for trial along with H.M.O.P.No.232 of 2015.

In the up shot, I allow the transfer petition. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

gya

To

1.The Judge,
Family Court, Coimbatore.

2.The Judge,
Family Court, Tiruchirapalli.

1 cc to Ms.Geetha Ramaseshan, Advocate, sr.53754

Tr.C.M.P.No.168 of 2016
and

सत्यमेव जयते C.M.P.No.4769 of 2016

rj co

kra 17.09.2016

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