

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:14.12.2016

CORAM:

THE HONOURABLE MRS. JUSTICE PUSHPA SATHYANARAYANA

Tr.C.M.P.No.602 of 2016 and C.M.P.No.16341 of 2016

A.Kavitha .. Petitioner

Vs.

V.Pandurangan ... Respondent

Petition filed under Section 24 of the Civil Procedure Code praying to withdraw the F.C.O.P.No.295 of 2015 pending on the file of the Family Court, Salem and transfer the same to the Family Court, Coimbatore.

For Petitioner : Mr.S.B.Viswanathan

For Respondent : Mr.B.Vasudevan

O R D E R

This Transfer miscellaneous petition is filed by the wife in a matrimonial proceedings for the transfer of F.C.O.P.No.295 of 2015 pending on the file of the Family Court, Salem and transfer the same to the Family Court, Coimbatore.

2. There were earlier proceedings between the parties in D.V.A.No.23 of 2011 and M.C.No.126 of 2011, which were subsequently withdrawn by the wife. Though F.C.O.P.No.295 of 2015 filed by the husband for restitution of conjugal rights was promised to be withdrawn, it was not done so, which ended in an ex-parte decree on 12.03.2014. Thereafter, the present F.C.O.P.No.295 of 2015 was filed by husband for divorce. Now, the wife-petitioner states that she has got a problem in her spinal cord and medically advised not to travel long distance and she may not able to travel from Coimbatore to Salem. Hence, the present petition for transfer is filed.

3. Learned counsel appearing for the respondent fairly conceded that the matter may be transferred to the Family Court, Coimbatore, but, only prays for time frame for completion of the trial.

4. In view of the above, the transfer Civil Miscellaneous Petition is allowed and F.C.O.P.No.294 of 2015 is withdrawn from the file of Family Court, Salem and transferred to the file of the Family Court, Coimbatore. The learned Family Court Judge, Coimbatore is directed to complete the trial and dispose the F.C.O.P.No.295 of 2015 on or before 31.03.2017. No costs. Consequently, connected miscellaneous petition is closed.

srn

Sd/-

Assistant Registrar (J)

/TRUE COPY/

Sub-Assistant Registrar

To

1. THE JUDGE,
The Family Court, Salem
2. The Family Court, Coimbatore
The Family Court, Coimbatore.

+1CC to MR.S.B.VISWANATHAN Advocate SR.NO.72866

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LRS[CO]
MK:09/01/2017



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