

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.97 of 2016

and C.M.P.No.2068 of 2016

Kalpana

... Petitioner

Vs

R.Saravanan @ Arumugam

... Respondent

Transfer Civil Miscellaneous Petition filed under Section 24 of C.P.C. to withdraw and transfer the case in H.M.O.P.No.1331 of 2010 from the file of the Family Court, Coimbatore, Coimbatore District to the Family Court, Erode, Erode District.

For Petitioner : No appearance
For Respondent : No appearance

O R D E R

This transfer petition is filed by the respondent in HMOP.No.1331 of 2010 on the file of the Family Court, Coimbatore to transfer the proceedings to the Family Court, Erode.

2. None appears on behalf of the petitioner. There is no appearance on behalf of the respondent also, in spite of printing his name in the cause list after service.

3. The respondent filed proceedings in H.M.O.P.No.1331 of 2010 before the Family Court, Coimbatore seeking a decree of divorce. The petitioner on the other hand, filed M.C.No.1 of 2011 before the Judicial Magistrate-II, Erode under the provisions of Domestic Violence Act. The case was subsequently transferred to the Chief Judicial Magistrate, Erode and renumbered as M.C.No.2 of 2015.

4. According to the petitioner, being a resident of Erode, it would not be possible for her to travel all along from Erode to Coimbatore for the purpose of defending the proceedings in

H.M.O.P.No.1331 of 2010. There is nothing on record to suspect the bonafides in filing this petition for transfer. 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 In the result, the proceedings in H.M.O.P.No.1331 of 2010 is withdrawn from the file of the Family Court, Coimbatore and is transferred to the file of the Family Court, Erode.

The transfer petition is allowed as indicated above. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-
Asst. Registrar.

/true copy/

Sub Asst. Registrar.

gya

To

1.The Judge, Family Court, Coimbatore.

2.The Judge, Family Court, Erode.

+1 CC to Mr. C. Prakasam, Advocate Sr.No.54028

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CNR (CO)

MD : 20/10/2016

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