

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.10.2017

CORAM :

THE HONOURABLE Mrs. JUSTICE PUSHPA SATHYANARAYANA

Tr.C.M.P. No.530 of 2017
and C.M.P.No.10878 of 2017

K. Kavitha ... Petitioner

Vs.

V. Arasu Madheswaran ... Respondent

Prayer:- Petition has been filed under Section 24 of C.P.C., to withdraw the H.M.O.P.No.215 of 2017 pending on the file of Family Court, Erode and transfer the same to the Court of Subordinate Judge, Tambaram.

For Petitioner : Mr.T.Thiyagarajan

For Respondent : Mr.M.Guruprasad

O R D E R

The wife in a matrimonial proceedings has filed the above transfer Civil Miscellaneous Petition seeking to withdraw H.M.O.P.No.215 of 2017 pending on the file of Family Court, Erode and transfer the same to the file of Sub Court, Tambaram. The husband has filed the above H.M.O.P.No.215 of 2017 under Section 13 (1) (i-a) & (i-b) of the Hindu Marriage Act before the Family Court, Erode for divorce.

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

3. The case of the petitioner is that she is a scientist and doing full time research. She is also taking care of the daughter, who is about ten years old. The husband is employed in Bangalore and even he has to travel to Erode for each of the hearing. If the petitioner is to travel to Erode, it would be difficult for her to leave her daughter and her profession to attend the hearings. Hence, it would be appropriate to transfer H.M.O.P.No.215 of 2017 from the file of Family Court, Erode to Sub Court, Tambaram, bearing in mind the convenience of the wife and the child. The husband could not have any serious objection as he has to travel to Family Court, Erode, where the presence of the party is mandatory. In the above

circumstances, it would be appropriate to transfer H.M.O.P.No.215 of 2017, pending on the file of the Family Court, Erode to Sub Court, Tambaram.

4. Accordingly, the transfer petition is allowed by withdrawing H.M.O.P.No.215 of 2017 from the file of Family Court, Erode and transferring the same to the file of Sub Court, Tambaram. No Costs. Consequently, connected miscellaneous petition is closed.

sd/-
Assistant Registrar

True Copy

Sub Assistant Registrar

rsi

To

1. The Judge,
Family Court, Erode.

2. The Subordinate Judge,
Tambaram.

+ 1 cc to Mr.T.Thiyagarajan, Advocate sr.no.73805

+ 1 cc to Mr.Guruprasad, Advocate sr.73991

Tr.C.M.P. No.530 of 2017
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RR 13/11/2017

सत्यमेव जयते

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