

IN THE HIGH COURT OF JUDICATURE AT MADRAS  
DATED:19.12.2017  
CORAM

THE HONOURABLE Mrs. JUSTICE PUSHPA SATHYANARAYANA  
Tr.C.M.P. No.834 of 2017  
and C.M.P.No.17453 of 2017

K. Mohanalakshmi

... Petitioner

versus

R. Keerthi

... Respondent

Prayer:- The Petition is filed under Section 24 of C.P.C. praying to withdraw H.M.O.P.No.162 of 2016 on the file of the learned Subordinate Judge, Pollachi and to transfer the same to the learned Subordinate Judge, Tambaram.

For Petitioner : Mr.B.A.Dhanasekar

For Respondent : Mr.P.V.Selvarajan  
for Mr.R.Aranganathan

O R D E R

The transfer is sought for by the petitioner/wife to transfer H.M.O.P.No.162 of 2016 filed by the respondent/husband under Section 13(1)(i-a) of the Hindu Marriage Act, pending before the Subordinate Judge, Pollachi for divorce to the file of Subordinate Court, Tambaram.

2. In paragraph 5 of the affidavit filed in support of the petition the petitioner/wife has stated that the respondent/husband is also residing in Chennai which falls within the jurisdiction of the Subordinate Court, Tambaram. She has also pleaded that she is not having any income and it would be difficult for her to travel from Tambaram to Pollachi to attend every hearing. Hence, the petitioner sought for the above transfer.

3. Heard the learned counsel for the petitioner as well as learned counsel for the respondent.

4. The learned counsel for the respondent/husband contended that the Subordinate Court, Tambaram would be unsafe for him and hence, prayed for transfer of the H.M.O.P. to any of the Family Courts in Chennai.

5. As both the parties are residing only in Chennai, it would be appropriate to transfer the matter to Family Court,

Chennai instead of transferring the same to Subordinate Court, Tambaram.

6. Both the counsels have no serious objection for transferring H.M.O.P.No.162 of 2016 to any of the Family Courts in Chennai.

7. Accordingly, the Transfer Civil Miscellaneous Petition is disposed of and H.M.O.P.No.162 of 2016, pending on the file of Subordinate Court, Pollachi shall stand withdrawn and transferred to any of the Family Courts in Chennai. No Costs. Consequently, connected miscellaneous petition is closed.

Sd/-  
Assistant Registrar(cs VII)

//True Copy//

Sub Assistant Registrar

rsi  
To

1. The Subordinate Judge, Pollachi.
2. The Registrar, Family Court,  
Chennai.

+1cc to Mr.B.A.Dhana Sekar, Advocate SR.No.90661  
+1cc to MR.R.Aranganathan, Advocate Sr.No.90374

sm:10.1.2018

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सत्यमेव जयते

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