

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.02.2017

CORAM:

THE HONOURABLE MRS.JUSTICE PUSHPA SATHYANARAYANA

Tr.C.M.P.No.132 of 2015

and

M.P.No.1 of 2015

T.B.Meenalochini

.. Petitioner

Vs.

A.Bubesh Kumar

.. Respondent

Transfer Civil Miscellaneous Petition filed under Section 24 of the Civil Procedure Code praying to withdraw H.M.O.P.No.99 of 2015 pending on the file of the Family Court, Madurai and transfer the same to the file of the Subordinate Court (Camp Court) at Mettupalayam, Coimbatore District.

For petitioner : Mr.S.Sithirai Anandam

For respondent : Mr.V.Bhiman

ORDER

It is stated that out of the wed-lock between the petitioner and the respondent, a male child was born. It is stated that the petitioner-wife is at present staying in her parents' house in Mettupalayam with her son. The respondent-husband is working in Madurai. It is stated that there are other cases pending in different Courts filed by the wife, within the jurisdiction of Mettupalayam, namely:

(i) O.S.No.44 of 2015 before the District Munsif Court, Mettupalayam, filed by the wife to hand over the educational certificates.

(ii) M.C.No.8 of 2015 filed by the wife before the Judicial Magistrate Court, Mettupalayam, claiming maintenance for herself and the child.

(iii) C.C.No.295 of 2016 filed by the wife for dowry harassment before the Judicial Magistrate Court, Mettupalayam.

(iv) D.V.A.No.4 of 2015 filed by the wife before the Judicial Magistrate Court, Mettupalayam.

Further, the respondent-husband filed H.M.O.P.No.99 of 2015 for divorce before the Family Court, Madurai. It is the petitioner's grievance that Madurai is situated about 250 Kms. away from Mettupalayam and she finds it difficult to go for every hearing, coupled with the fact that her aged parents are not in a position to accompany her for the Court hearings. It is to be noted that in the Transfer cases, the convenience of the wife should be given preference for attending her case hearings. Therefore, taking into consideration the above facts and the grievances expressed by the petitioner, the Tr.C.M.P. is ordered, and H.M.O.P.No.99 of 2015 pending on the file of the Family Court, Madurai, shall stand withdrawn and transferred to the Sub-Court (Camp Court) at Mettupalayam. No costs. The Miscellaneous Petition is closed.

cs

Sd/-
Assistant Registrar (J)
/TRUE COPY/
Sub-Assistant Registrar

Copy to

1. The Judge,
Family Court, Madurai.
2. The Sub-Judge (Camp Court),
Mettupalayam, Coimbatore District.

+1 CC to Mr.S.Sithirai Anandam Advocate SR.NO.11738
+1 CC to Mr.V.Bhiman Advocate SR.NO.11580

Tr.C.M.P.No.132 of 2015

CP[CO]
MK:07/03/2017

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