

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.10.2017

C O R A M

THE HONOURABLE Mrs.JUSTICE PUSHPA SATHYANARAYANA

Tr.C.M.P.No.558 of 2013
and M.P.No.1 of 2013

R.G.Sumithra .. Petitioner

-Vs-

B.Manikandan .. Respondent

Transfer Civil Miscellaneous Petition filed under Section 24 of C.P.C praying to withdraw the petition in H.M.O.P.No.148 of 2013 on the file of the Sub Court, Dindigul and transfer the same to the file of the Family Court, Coimbatore.

For petitioner ... Mr.D.Muthuselvam
For Respondent ... No Appearance

O R D E R

The petitioner-wife has filed this transfer petition seeking transfer of H.M.O.P.No.148 of 2013 from the file of the Sub Court, Dindigul to the file of the Family Court, Coimbatore.

2. The wife is living in Coimbatore along with her minor child and the H.M.O.P is filed by the husband for divorce at Dindigul. Admittedly, there is also a case filed by the petitioner-wife under Domestic Violence Act, which is pending before the learned Judicial Magistrate No.VI, Coimbatore, for which, the respondent-husband has been appearing. It is also stated that after the above said case under the Domestic Violence Act was filed, the respondent-husband has filed H.M.O.P.No.148 of 2013 for divorce. It is stated in the affidavit that she finds it difficult to travel from Coimbatore to Dindigul, which is 150 kms away from Coimbatore, for each of the hearing. There are no male relatives for her to accompany her to defend her case at Dindigul. Further, there is no support to take care of her daughter in her absence. Hence, the transfer petition has been filed.

3. Heard the learned counsel for the petitioner. Though the respondent had been served with notice, there is no representation for the respondent either in person or through

counsel.

4. Considering the grievances expressed by the petitioner that she has to travel all along from Coimbatore to Dindigul, this Court deems it fit to transfer the said H.M.O.P.No.148 of 2013 from the file of the Sub Court, Dindigul to the Family Court, Coimbatore.

5. Accordingly, the Tr.C.M.P is allowed and H.M.O.P.No.148 of 2013 pending on the file of the Sub Court, Dindigul shall stand withdrawn and the same is transferred to the file of the Family Court, Coimbatore. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

srn

To

1. The Sub Court, Dindigul
2. The Family Court, Coimbatore.

+1cc to Mr.D.Muthuselvam, Advocate, S.R.No.72454

Tr.C.M.P.No.558 of 2013
and M.P.No.1 of 2013

CB(30/10/2017)

सत्यमेव जयते

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