

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.02.2017

C O R A M

THE HONOURABLE Mrs.JUSTICE PUSHPA SATHYANARAYANA

Tr.C.M.P.No.603 of 2016
and C.M.P.No.16360 of 2016

S.Jeevitha

.. Petitioner

-Vs-

N.Loganathan

.. Respondent

Transfer Civil Miscellaneous Petition filed under Section 24 of C.P.C praying to withdraw H.M.O.P.No.118 of 2016 pending on the file of the Principal Subordinate Judge of Tiruppur and to transfer the same to the Family Judge, Coimbatore to be tried along with H.M.O.P.No.906 of 2016 and M.C.No.132 of 2016.

For petitioner ... Mr.N.Ponraj

For Respondent ... Served-No Appearance

O R D E R

This Transfer Civil Miscellaneous Petition is filed seeking to withdraw H.M.O.P.No.118 of 2016 filed by the husband pending on the file of the Principal Sub Court, Tiruppur and to transfer the same to the file of the Family Court, Coimbatore to be tried along with H.M.O.P.No.906 of 2016 and M.C.No.132 of 2016 filed by wife.

2. H.M.O.P.No.118 of 2016 is filed by the respondent-husband on the file of the Principal Sub Court, Thiruppur for dissolution of marriage held between the petitioner and the respondent on 09.09.2013. The petitioner-wife also filed H.M.O.P.No.906 of 2016 on the file of the Family Court, Coimbatore for restitution of conjugal rights and M.C.No.132 of 2016 for maintenance.

3. It is stated that the petitioner is now living with her parents at Coimbatore without any financial support. She is having two year old child and is in need of money. It is further stated that she has to travel 50 kms from Coimbatore to Tiruppur for hearing of the case, further, she could not travel

alone to Tiruppur to attend the hearings. It is also stated that H.M.O.P.No.906 of 2016 and M.C.No.132 of 2016 are pending before the Family Court, Coimbatore. Hence, she seeks transfer from Tiruppur to Coimbatore.

4. Heard the learned counsel for the petitioner. In spite of notice having been served on the respondent and the name of the respondent having been printed in the cause list, the respondent has not chosen to appear either in person or through counsel.

5. Taking into consideration the above grievances expressed by the petitioner, this Court deems it fit to transfer the said H.M.O.P.No.118 of 2016 pending on the file of the Principal Sub Court, Tiruppur.

6. Accordingly, Tr.C.M.P is allowed and H.M.O.P.No.118 of 2016 pending on the file of the Principal Sub Court, Tiruppur shall stand withdrawn and same is transferred to the Family Court, Coimbatore to be tried along with H.M.O.P.No.906 of 2016 and M.C.No.132 of 2016. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

srn

To

1. The Principal Sub Judge,
Tiruppur.
2. The Judge,
Family Court, Coimbatore

+1cc to Mr.Ponraj, Advocate, S.R.No.9683

VSN(CO)
RS(24/02/2017)

Tr.C.M.P.No.603 of 2016
and C.M.P.No.16360 of 2016