

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.01.2018

CORAM :

THE HONOURABLE Mrs. JUSTICE PUSHPA SATHYANARAYANA

Tr.C.M.P. No.411 of 2017

and C.M.P.No.8635 of 2017

S. Suganthi ... Petitioner

versus

K. Kalaivanan ... Respondent

Prayer:- The Petition is filed under Section 24 of C.P.C. praying to withdraw G.W.O.P.No.1 of 2017 on the file of the Family Court, Udhagamandalam, Nilgiris and transfer the same to the file of Family Court, Coimbatore.

For Petitioner : Ms.V.Rani

For Respondent : Mr.P.Sureshbabu

ORDER

The petitioner/wife has filed this transfer Civil Miscellaneous Petition seeking to withdraw G.W.O.P.No.1 of 2017 filed by the respondent/husband under Section 6 of the Guardian and Wards Act, pending on the file of Family Court, Udhagamandalam, Nilgiris for custody of the children and transfer the same to the file of Family Court, Coimbatore.

2. In the affidavit filed in support of the petition, it is stated by the petitioner that she is the only parent to take care of her two children. She has to safeguard her life for the sake of her children, since she has a threat at the hands of the respondent, if she goes to Ooty for attending the Court hearing. She also expressed difficulty in travelling from Coimbatore to Ooty. Hence, the petitioner/wife has sought for the above transfer.

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

4. Considering the grievance of the petitioner preference may be given to the wife in respect of the place where she resides, this Court is inclined to transfer G.W.O.P.No.1 of 2017, pending on the file of Family Court, Udhagamandalam, Nilgiris to the file of Family Court, Coimbatore.

5. The learned counsel appearing for the respondent has got no serious objection for the above transfer.

6. Accordingly, the Transfer Civil Miscellaneous Petition is allowed by withdrawing G.W.O.P.No.1 of 2017, pending on the file of Family Court, Udhagamandalam, Nilgiris and transferring the same to the file of Family Court, Coimbatore. No Costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

rsi

To

1. The Family Judge,
Udhagamandalam, Nilgiris.
2. The Family Judge,
Coimbatore.

+1cc to Mr.P.SURESHBABU, Advocate, S.R.No. 903
+1cc to Mr.BABITHA SUNIL, Advocate, S.R.No. 209

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KAN(CO)
TR(01/02/2018)

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