

IN THE HIGH COURT OF JUDICATURE AT MADRAS

RESERVED ON : 23.08.2018

PRONOUNCED ON : 29.08.2018

CORAM

THE HONOURABLE MR.JUSTICE T.RAVINDRAN

Transfer CMP.No. 360 of 2018

and

CMP.No.9786 of 2018

U.Vaishnavi ...Petitioner

Vs.

K.Dinesh Kumar ...Respondent

Prayer :- Transfer Civil Miscellaneous Petition has been filed under Section 24 of CPC to withdraw the petition in HMOP No.73 of 2018 on the file of the Sub-Court, Thirumangalam and transfer the same to the file of the Family Court, Coimbatore.

For Petitioner : Mr.C.Veeraraghavan

For Respondent : No appearance
set exparte vide order
dated 23.08.2018

ORDER

The petitioner is the wife. The respondent is the husband.

2.The respondent has laid divorce proceeding against the petitioner in HMOP No.73 of 2018 on the file of the Sub-Court, Thirumangalam.

3.According to the petitioner, she is residing at Coimbatore and on account of the abortion forced on her by the conduct of the respondent, she had been necessitated to stay at her parents' house at Coimbatore and considering her body condition, she would not be able to attend the proceeding at Thirumangalam Court and thereby, has come forward with the present petition seeking for the transfer of the divorce proceeding from Thirumangalam Court to Coimbatore Court for disposal.

4.Though the respondent has been served in the matter, he has not evinced any interest to contest the case of the petitioner, thereby it is found that the respondent has no cause put forth against the hardship and inconvenience caused

to the petitioner in attending the proceeding at Thirumangalam Court. That apart, it is also noted that the respondent also would not be seriously prejudiced in attending Coimbatore Court in respect of divorce proceeding laid by him. The respondent is also found to be a resident of Kovilpatti, Tuticorin.

5.Considering the request of the petitioner for transfer and the reasons adduced by the petitioner with reference to the same having not been repudiated by the petitioner in any manner and the reasons above projected by the petitioner being justified, in all, it is seen that the transfer request of the petitioner could be acceded to.

6.For the reasons aforestated, HMOP No.73 of 2018 is withdrawn from the file of the Sub-Court, Thirumangalam and transferred to the file of the Family Court, Coimbatore for disposal according to law.

Accordingly, the Transfer Civil Miscellaneous petition is allowed. Consequently, connected CMP.No.9786 of 2018 is closed.

Sd/-
Assistant Registrar(CS)

//True Copy//

Sub Assistant Registrar

sms

To

1. The Sub Judge, Thirumangalam.
2. The Family Judge, Coimbatore.

+ 1 cc to Mr.C. Veeraraghavan, Advocate Sr.59140

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NRL(CO)
EU(12/09/2018)