

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.01.2018

CORAM :

THE HONOURABLE Mrs. JUSTICE PUSHPA SATHYANARAYANA

Tr.C.M.P. No.784 of 2015
and M.P.No.1 of 2015

G. Uma Maheswari

... Petitioner/Respondent

versus

R. Ravi Krishnan

... Respondent/Petitioner

Prayer:- The Petition is filed under Section 24 of C.P.C. praying to withdraw H.M.O.P.No.586 of 2015 pending on the file of the Hon'ble Additional Family Court Judge of Coimbatore and to transfer the same to the Hon'ble Sub Court of Dharapuram.

For Petitioner : Mr.N.Ponraj
For Respondent : Mr.W.Camyles Gandhi

O R D E R

The petitioner/wife in the matrimonial dispute has filed this Transfer Civil Miscellaneous Petition, seeking transfer of H.M.O.P.No.586 of 2015, on the file of Additional Family Court, Coimbatore, filed by the respondent/husband under Section 13(1) (i-a) (i-b) of the Hindu Marriage Act for dissolution of marriage held between the petitioner and respondent on 29.06.2012 to the file of Sub Court, Dharapuram.

2. Heard the learned counsel for the petitioner and the learned counsel for the respondent.

3. It is stated in paragraph 5 of the affidavit filed in support of the petition that the petitioner/wife is living in Dharapuram with her aged parents along with her minor child born out of the wedlock. The petitioner/wife has expressed difficulty to travel alone about 80 kms from Dharapuram to Coimbatore to attend each hearing, as she is in need of money for their livelihood. Hence, the petitioner/wife seeks transfer of H.M.O.P.No.586 of 2015 to Sub Court, Dharapuram, where the appearance of the parties is not mandatory.

4. Considering the convenience of the parties and also Section 19(iii-a) of the Hindu Marriage Act, which speaks about the convenience of the wife as paramount, it would be appropriate to transfer H.M.O.P.No.586 of 2015, pending on the file of Additional Family Court, Coimbatore to the file of Sub Court, Dharapuram.

5. Accordingly, the Transfer Civil Miscellaneous petition is allowed and H.M.O.P.No.586 of 2015, pending on the file of Additional Family Court, Coimbatore shall stand withdrawn and transferred to the file of Sub Court, Dharapuram. No Costs. Consequently, connected miscellaneous petition is closed.

-s/d-

Assistant Registrar (CS-IV)

True Copy

Sub-Assistant Registrar

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To

1. The Additional Family Judge,
Additional Family Court
Coimbatore.
2. The Sub Judge,
Sub Court
Dharapuram.

+1 CC to Mr.W. Camyles Gandhi, Advocate sr 3932.

सत्यमेव जयते

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NRJK (CO)
SP (14/02/2018)