

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:16.04.2019

CORAM:

THE HONOURABLE MR.JUSTICE M.GOVINDARAJ

Tr.CMP.No.213 of 2019
and
C.M.P.No.6395 of 2019

Mahalakshmi

... Petitioner

Vs.

Selvakumar

.... Respondent

PRAYER: Transfer Civil Miscellaneous petitions filed under Section 24 of the Civil Procedure Code, praying to withdraw the H.M.O.P.No.5073 of 2018 on the file of the IV Additional Family Court at Chennai and to transfer the same to Sub Court at Kovilpatti to be tried along with H.M.O.P.No.16 of 2019 pending on the file of the Sub Court, Kovilpatti.

For Petitioner : Mrs.D.Kamachi

For Respondent : Mrs.S.Anitha

O R D E R

This petition is filed by the petitioner seeking to withdraw the withdraw the H.M.O.P.No.5073 of 2018 on the file of the IV Additional Family Court at Chennai and to transfer the same to Sub Court at Kovilpatti to be tried along with H.M.O.P.No.16 of 2019 pending on the file of the Sub Court, Kovilpatti.

2. The petitioner is the wife. The respondent / husband filed a petition for divorce before IV Additional Family Court, Chennai. The respondent has just delivered a baby, a month ago and residing at Tutucorin. Even the address of service for the respondent is shown as Tutucorin. The petitioner / wife finds it very difficult to travel from Tutucorin to Chennai to attend the case for every hearing before the IV Additional Family Court, Chennai. Therefore, she prays for transfer of petition filed by her husband from Chennai to Thoothukudi.

3. The learned counsel for the respondent would submit that the husband is ready to live with the wife and it can be achieved through mediation.

4. Considering the facts and circumstances of the case, H.M.O.P.No.5073 of 2018 pending on the file of the IV Additional Family Court, Chennai, is withdrawn and transferred to Sub Court, Kovilpatti to be tried along with H.M.O.P.No.16 of 2019, pending on the file of the same Court. The Sub Court, Kovilpatti, on receipt of the bundles, shall refer the matter to mediation enabling the parties for amicable settlement.

5. With the above directions, the transfer Civil Miscellaneous Petition is ordered. Consequently, connected civil miscellaneous petition is closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

bkn

To

- 1) The IV Additional Family Court,
Chennai.
- 2) The Subordinate Judge,
Kovilpatti.

+1 cc to M/s.D.Kamatchi, Advocate, S.R.No.37535

Tr.CMP.No.213 of 2019
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SKV(CO)
SSM(06/06/2019)

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