

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:19.03.2019

CORAM:

THE HONOURABLE MR.JUSTICE M.GOVINDARAJ

TR.CMP.NO.178 of 2019

and

C.M.P.NO.5580 OF 2019

A.Nancy Maria Janifer ... Petitioner

Vs.

A.Ashok Prasath ... Respondent

PRAYER: Transfer Civil Miscellaneous petitions filed under section 24 of the Civil Procedure Code, praying to withdraw I.D.O.P.No114 of 2018 pending on the file of the Principal District Judge, Erode and transfer the same to the Family Court, Coimbatore.

For petitioner : Mr.A.Thiyagarajan

For Respondent : Mr.N.Manokaran

O R D E R

This Transfer Civil Miscellaneous Petition is filed by the petitioner seeking to withdraw I.D.O.P.No114 of 2018 pending on the file of the Principal District Judge, Erode and transfer the same to Family Court, Coimbatore.

2.The petitioner is the wife. The husband / respondent filed a petition for divorce before the Principal District Judge, Erode. The respondent / husband resides at Sathyamangalam and the petitioner / wife resides at Coimbatore. The petitioner / wife finds it difficult to travel all the way to Erode to attend the case, from Coimbatore. Therefore, she seeks transfer of petition filed by her husband for divorce from Erode to Coimbatore.

3. I have considered the materials available before this Court. From the materials, it is seen that the petitioner / wife resides at Coimbatore and the respondent / husband is residing at Sathyamangalam. Either way, the respondent has to travel from Sathyamangalam either to Erode or to Coimbatore to attend the case.

4. Considering the convenience of the parties, this Court is of the opinion that transferring the case from Erode to Coimbatore will not cause any prejudice to the respondent / husband. Accordingly, I.D.O.P.No.114 of 2018 pending on the file of the Principal District Judge, Erode is withdrawn and transferred to Family Court, Coimbatore. The learned Judge, Family Court, Coimbatore, is directed to renumber the petition, issue notice to the parties and dispose of the petition as expeditiously as possible.

5. The Transfer Civil Miscellaneous Petition is disposed of with the above directions. No costs. Consequently, connected Civil Miscellaneous Petition is closed.

Sd/-
Deputy Registrar

//True Copy//

Sub Assistant Registrar

To

1.The Principal District Court,
Erode.

2.The Family Court,
Coimbatore.

+1cc to Mr.N.Manokaran, Advocate Sr.26496
+1cc to Mr.A.Thiyagarajan, Advocate Sr.25617

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srg 30/05/2019