

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 30.07.2019

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

Tr. C.M.P. No.521 of 2019
and C.M.P. No.14392 of 2019

P.Sudha

... Petitioner

-vs-

Ambalam @ Suresh

... Respondent

Prayer: Petition filed under Section 24 of C.P.C to withdraw the case pending on the file of the Principal Family Court, Coimbatore in H.M.O.P. No.229 of 2019 and transfer the same to the file of the Family Court, Sivagangai.

For Petitioner : Mr.D.Parventhan

For Respondent : Mr.Saravana Prakash

O R D E R

The Transfer C.M.P. has been filed to transfer the H.M.O.P. No.229 of 2019 pending on the file of the Principal Family Court, Coimbatore to the file of the Family Court, Sivagangai.

2.Learned counsel appearing for the petitioner would submit that the marriage between the petitioner and the respondent was solemnised on 12.07.2006 at Parkava Kula Mahal, Devakottai as per Hindu rites and customs. Due to difference of opinion arose between themselves, the respondent filed a petition in H.M.O.P. No.229 of 2019 seeking divorce on the file of the Principal Family Court, Coimbatore by making false allegations against the petitioner. As the petitioner finds it difficult to undertake long journey from Ramanadhapuram to Coimbatore which is about 50 k.ms from her residence, she has been advised to come to this Court. Therefore, if the H.M.O.P. No.229 of 2019 is transferred to the file of the Family Court, Sivagangai, no prejudice will be caused to the respondent.

3.Learned counsel appearing for the respondent would submit that the respondent apprehends that an untoward incident may take place at the hands of the petitioner wife.

4.Learned counsel appearing for the petitioner would submit that there is no need for any apprehension as the petitioner and family members are prepared for re-union.

5.Taking note of the facts that the petitioner wife is willing for re-union and she has to take long journey from her residence, this Court is inclined to transfer the H.M.O.P. No.229 of 2019 pending before the Principal Family Court, Coimbatore to the file of the Family Court, Sivagangai. Accordingly, the Tr. C.M.P. is allowed and the H.M.O.P. No.229 of 2019 pending on the file of the Principal Family Court, Coimbatore is withdrawn and transferred to the file of the Family Court, Sivagangai.

6.The learned Family Judge, Sivagangai is directed to take up the case and dispose of the same expeditiously in the manner known to law. No costs. Consequently, C.M.P. No.14392 of 2019 is closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

1.The Judge,
Principal Family Court,
Coimbatore.

2.The Judge,
Family Court,
Sivagangai.

+1 cc to M/s.S.Deepika,Advocate Sr.No. 65280

+1 cc to M/s.S.Saravana Prakash,Advocate Sr.No. 65229

AKM/06.09.19/2P- 5C /

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