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IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 25.07.2019

CORAM :
THE HONOURABLE MR. JUSTICE T.RAJA

Tr.C.M.P.No.875 of 2018
and
C.M.P.No.21578 of 2018

E.J.M.Banupriya

... Petitioner/Respondent

Vs.

M.Arunprasath

... Respondent/Petitioner

Prayer:- Petition has been filed under Section 24 of C.P.C., praying to withdraw H.M.O.P.No.53 of 2018, pending on the file of the Sub-Court, Maduranthakam, Kancheepuram, and transfer the same to the file of the Family Court, Erode.

For Petitioner : Mr.G.Pavendhan

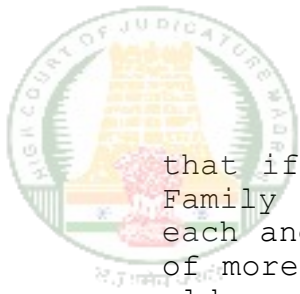
For Respondent : Mr.A.G.D.Balakumar

O R D E R

The present Transfer Civil Miscellaneous Petition is filed to withdraw H.M.O.P.No.53 of 2018 pending on the file of the learned Sub-Court, Maduranthakam, Kancheepuram, and to transfer the same to the file of the learned Family Court, Erode.

2. The petitioner is the wife and the respondent is the husband. The above said HMOP was filed by the respondent/husband on the file of the learned Sub-Court, Maduranthakam, Kancheepuram, seeking for divorce.

3. When the matter was taken up on 16.07.2019, this Court directed both the parties to appear in the Chamber on 25.07.2019 at 2.15 p.m. for an amicable settlement. Accordingly, both the parties appeared before me today. Although the respondent/husband is ready for reunion, the petitioner/wife is not willing to live with him. It is submitted by the petitioner/wife that after the marriage was solemnized on 19.02.2016, they lived together only for 20 days and thereafter, in view of mental agony faced by her at the hands of husband and in-laws, she left the matrimonial home. Thereafter, all of a sudden, the respondent/husband has filed the above said HMOP seeking for divorce. She further prayed



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that if the said case is transferred to the file of the learned Family Court, Erode, it would be convenient for her to attend each and every hearing, as she cannot travel alone to a distance of more than 600 kms. and that she also has to take care of her old age parents.

4. In view of the above, considering the fact that it would be difficult for the petitioner/wife to travel more than 600 kms. to attend each and every hearing, this Court is inclined to allow the prayer of the petitioner/wife. Accordingly, H.M.O.P.No.53 of 2018 filed by the husband is withdrawn from the file of the learned Sub-Court, Maduranthakam, Kancheepuram District, and consequently, transferred to the file of the learned Family Court, Erode. On such transfer, the learned Family Court, Erode, shall dispose of the same in the manner known to law as expeditiously as possible.

5. With the above direction, the present Transfer Civil Miscellaneous Petition is allowed. Consequently, connected C.M.P.No.21578 of 2018 is closed.

Sd/-

Assistant Registrar (CS VIII)

//True Copy//

Sub Assistant Registrar

rkm

To

1. Sub-Court,
Maduranthakam.

2. Family Court,
Erode.

+2ccs to Mr.A.G.D.Balakumar, Advocate, S.R.No.64186

+1cc to Mr.G.Pavendhan, Advocate, S.R.No. 64033

Tr.C.M.P.No.875 of 2018
and
C.M.P.No.21578 of 2018

RV (CO)

RRS (29/08/2019)