

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.02.2019

CORAM

THE HONOURABLE MR.JUSTICE M.GOVINDARAJ

TR.C.M.P.No.925 of 2018
and
C.M.P.No.22933 of 2018

P.Madhavi ... Petitioner/Respondent

Vs.

K.Arun ... Respondent/Petitioner

PRAYER:

Transfer Civil Miscellaneous Petition filed under section 24 of C.P.C., to withdraw and transfer H.M.O.P.No.148/18 pending on the file of the Subordinate Judge, Hosur, Krishnagiri District to any Family Court, Vellore.

For Petitioner : Mr.Balaji Sankara Moorthy

For Respondent : No Appearance

ORDER

This Transfer Civil Miscellaneous Petition is filed to withdraw and transfer H.M.O.P.No.148 of 2018 pending on the file of the Subordinate Judge, Hosur, Krishnagiri District to any Family Court in Vellore.

2. Respondent and petitioner are husband and wife. Respondent filed HMOP.No.148 of 2018 on the file of Subordinate Judge, Hosur, Krishnagiri District for restitution of conjugal rights. Petitioner is residing at Katpadi, Vellore District and she has filed a petition for maintenance before the Family Court, Vellore. The petitioner is having 8 months old daughter and she is not in a position to travel long distance. Hence, the petitioner has filed the present petition seeking transfer of the HMOP filed by the respondent to the file of Family Court, Vellore.

3. Despite service of notice, the respondent/husband has not chosen to appear before this Court.

4. Considering the mental and physical hardship caused to the petitioner/wife and also the hardship caused to the 8 months old child, this Court is of the considered opinion that HMOP filed by the respondent can be transferred to Family Court, Vellore.

5. Accordingly, HMOP.No.148 of 2018 pending on the file of pending on the file of the Subordinate Judge, Hosur, Krishnagiri District is withdrawn and transferred to Family Court, Vellore.

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

Sd/-
Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

bri

To

1. The Subordinate Judge, Hosur,
Krishnagiri District.
2. The Family Court,
Vellore.

+1cc to Mr.Balaji Sankara Moorthy, Advocate, S.R.No.13222

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CS/18/02/2019

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