

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.07.2020

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

Tr.C.M.P.No.954 of 2019

D.R.Kalpoorniya Devi

.. Petitioner

Versus

K.Vinoth Kumar

.. Respondent

Prayer: Petition has been filed under Section 24 of the Civil Procedure Code praying to withdraw H.M.O.P.No.187 of 2019 pending on the file of learned Sub-Court, Tiruppattur, Vellore District, and to transfer the same to the file of learned Family Court, Krishnagiri.

For Petitioner : Mr.N.Vijaya Baskar

For Respondent : Mr.M.Rajangam

O R D E R

Heard the parties through Video Conferencing due to COVID-19 pandemic.

2. The petitioner/wife has filed this Transfer Civil Miscellaneous Petition seeking to transfer H.M.O.P.No.187 of 2019 from the file of learned Sub-Court, Tiruppattur, Vellore District, to the file of learned Family Court, Krishnagiri. The above said H.M.O.P.No.187 of 2019 was filed by the respondent/husband seeking for divorce.

3. Learned counsel for the petitioner/wife submitted that the marriage between the petitioner and the respondent was solemnized on 23.01.2015 at Sri Thainaga Thirumana Mandapam, Tiruppattur, Vellore Distirct, as per the Hindu Rites and Customs. However, after some time, the petitioner/wife, who is working as Secondary Grade Teacher, came on transfer to Tiruppattur and again, after some time, she was transferred back to Krishnagiri. Thereafter, due to some misunderstanding, the respondent/husband has filed the above said HMOP seeking for divorce before the learned Sub-Court, Tiruppattur. It is further submitted that the petitioner being a Teacher in Government Primary School at Krishnagiri, it will be difficult

for her to undertake long journey from Krishnagiri to Tiruppattur, which is about 50 kms. to attend each and every hearing. Hence, she sought for transferring the above said case filed by her husband to the file of learned Family Court, Krishnagiri.

4. Learned counsel for the respondent/husband submitted that the distance between Tiruppattur and krishnagiri is only 50 kms. and therefore, the request of the petitioner/wife seeking transfer of the case filed by the husband to Krishnagiri is liable to be rejected.

5. Considering the fact that the petitioner/wife is working as a Teacher in a Government Primary School at Krishnagiri, I am of the view of that it will be difficult for her to undertake long journey from Krishnagiri to Tiruppattur, which is more than 50 kms. to attend each and every hearing. Therefore, H.M.O.P.No.187 of 2019 filed by the husband is withdrawn from the file of learned Sub-Court, Tiruppattur, Vellore District, consequently, transferred to the file of learned Family Court, Krishnagiri. On such transfer, learned Family Court, Krishnagiri, shall dispose of the same in the manner known to law as expeditiously as possible. With the above direction, this Transfer Civil Miscellaneous Petition is allowed. Consequently, connected CMP.No.25903 of 2019 is closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

rkm

To

1.The Judge, Sub-Court, Tiruppattur.

2.The Judge, Family Court, Krishnagiri.

RSV (CO)
RMP (17/08/2020)

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