

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.01.2020

CORAM:

THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN

Transfer C.M.P.No.949 of 2019 and

C.M.P. No.25813 of 2019

D.Jayadevi

...Petitioner

vs.

G.Rangaraj

...Respondent

Transfer Civil Miscellaneous Petition filed under Section 24 of C.P.C., to withdraw and transfer H.M.O.P. No.979 of 2019, filed on the file of the Principal Family Court, Coimbatore to the file of Principal Family Court, Chennai.

For Petitioner : Mrs.N.Ramkumar

For Respondent : Mr.R.Chandrasekaran

O R D E R

Transfer Civil Miscellaneous Petition filed under Section 24 of the Civil Procedure Code, to withdraw H.M.O.P. No.979 of 2019 from the file of Principal Family Court, Coimbatore and transfer the same to the file of Principal Family Court, Chennai.

2. Admittedly, wife is residing here and she is in employment. Her husband is at Coimbatore and is without employment. The learned counsel for the petitioner/wife submitted that husband can live with her along with his mother and that she cannot maintain the other family members, as she has no duty towards them. She is willing to take care of her mother-in-law, as the husband is having clean habits, even though he is without employment.

3. She further submitted that she has to travel all the way to Coimbatore, to conduct the case and that the husband, who was originally doing Real Estate business is not employed, he can appear before the Family Court at Chennai, for which she is willing to pay the necessary transport charges (II Class berth charges) to her husband from Coimbatore to Chennai and Chennai to Coimbatore.

4. Taking note of the submission, I find much force in the contention of the petitioner/wife that the matter could be heard

at Chennai, as she is in employment and that she has agreed to pay to and fro charges, the husband shall appear before the Family Court, Chennai.

5. In view of the same, H.M.O.P. No.979 of 2019, pending on the file of the Principal Family Court, Coimbatore is withdrawn and transferred to the file of the Principal Family Court, Chennai. The Principal Judge, Family Court, Chennai, is expected to take up the matter, preferably on working Saturdays, once or twice in a month, to enable the parties to appear and try to dispose of the matter, as expeditiously as possible, in order to bring the issue to a logical end. Transport charges of Rs.750/- per hearing, shall be paid by the petitioner to the respondent.

6. The Transfer Civil Miscellaneous Petition is allowed as indicated above. No costs. Consequently, the connected Civil Miscellaneous Petition is closed.

Sd/-

Assistant Registrar(CS IIII)

//True Copy//

Sub Assistant Registrar

Asr

To :

1. The Principal Judge,
Family Court, Coimbatore

2. The Principal Judge Family Court, Chennai

+2 ccs to Mr.N.Ramkumar Advocate sr 3015

Tr.C.M.P.No.949 of 2019
and C.M.P. No.25813 of 2019

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