



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.11.2021

CORAM:

THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN

TR CMP No.241 of 2021
and CMP No.6652 of 2021

M.Elakkiya

... Petitioner/Petitioner

Vs

B.Balamurugan

... Respondent/Respondent

Prayer: Transfer Civil Miscellaneous Petition filed under Section 24 of the Code of Civil Procedure, 1908, pleased to withdraw the petition HMOP No.12 of 2021 from the file of the learned Subordinate Judge, Sankari and transfer the same to the Family Court, Krishnagiri.

(Prayer amended vide Order of this Court, dated 24.08.2021 made in CMP No.11855 of 2021 in Tr CMP No.241 of 2021)

For Petitioner : Mr.K.Balaji

For Respondent : Mr.S.Arthanareeswaran

O R D E R

The wife seeks transfer of HMOP No.12 of 2021 pending on the file of the Sub Court, Sankari which has been filed by the husband seeking divorce on the ground of cruelty, to the Family Court, Krishnagiri.

2. The transfer is sought for solely on the ground of convenience of the wife who is a resident of Krishnagiri having a 10 months female child.

3. The request for transfer is opposed by the counsel for the respondent as the wife has got political influence and is harassing the husband.

4. Considering the scope of the transfer petition and veracity of the allegation made by the parties against each



other, if the proceedings are transferred to the Family Court, the parties will have to appear for every hearing in person. Therefore, I am of the considered opinion, it will be in the interest of the parties that the proceedings are transferred to a Sub Court at Krishnagiri where the parties can be represented through their counsels for regular hearings and the parties can appear only for essential hearings. The inconvenience caused to the husband will also be much less.

5. In view of the above, HMOP No.12 of 2021 on the file of the Sub Court, Sankari, is withdrawn and transferred to the Sub Court, Krishnagiri to be tried and disposed of in accordance with law. This Transfer Civil Miscellaneous Petition is allowed accordingly. No costs. Consequently, connected miscellaneous petition is closed.

SD/-
ASSISTANT REGISTRAR

// TRUE COPY //

SUB ASSISTANT REGISTRAR

vum
To

1.The Sub Court,
Sankari.

2.The Sub Court,
Krishnagiri.

+1cc to M/s.K.Balaji, Advocate Sr.60137

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srg 03/12/2021