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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.09.2021

CORAM:

THE HONOURABLE MRS.JUSTICE S.KANNAMMAL

Tr.C.M.P.No.297 of 2021

and C.M.P.No.7422 of 2021

R.Famela Mary

... Petitioner

Versus

A.Michael

... Respondent

PRAYER: Transfer Civil Miscellaneous Petition is filed under Section 24 of the Code of Civil Procedure, to withdraw I.D.O.P.No.35 of 2020 pending on the file of Additional District Court, Sivagangai and transfer the same to the file of the Family Court, Coimbatore.

For Petitioner : Mr. S. Santhan

ORDER

[The Case has been heard through video conference]

The present Transfer Civil Miscellaneous Petition is filed to withdraw I.D.O.P.No.35 of 2020 pending on the file of Additional District Court, Sivagangai and transfer the same to the file of the Family Court, Coimbatore.

2.The respondent/husband has filed I.D.O.P.No.35 of 2020 before the Additional District Court, Sivagangai, for divorce.

3.The learned counsel for the petitioner/wife submitted that the petitioner is working as a staff nurse and residing with her aged parents at Coimbatore. Moreover, she is depending on her aged and sick parents and the petitioner being a lady, it is very difficult for her to travel from Coimbatore to Sivagangai District, for attending the Court on every hearing. Therefore, she seeks to transfer the case from Sivagangai District to Coimbatore.

4.Heard the learned counsel appearing for the appellant. There is no representation on behalf of the respondent and perused the materials placed on record.



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5. Considering the facts and circumstances of the case and the submissions made by the learned counsel for the petitioner, this Court is inclined to transfer the case to the file of the Family Court, Coimbatore.

6. Accordingly, I.D.O.P.No.35 of 2020 is withdrawn from the file of the Additional District Court, Sivagangai and transferred to the file of the Family Court, Coimbatore, for disposal as per law. The Additional District Judge, Sivagangai, is directed to transmit the papers to the file of the Family Court, Coimbatore within a period of six weeks from the date of receipt of a copy of this order. The learned Family Judge, Coimbatore is directed to dispose of the case in I.D.O.P.No.35 of 2020 on merits and in accordance with law as expeditiously as possible.

7. In fine, this Transfer Civil Miscellaneous Petition is allowed. No costs. Consequently, connected miscellaneous petition is closed.

gbi

-Sd/-
Assistant Registrar

TRUE COPY

Sub-Assistant Registrar

To:

1. The Additional District Judge,
Sivagangai.
2. The Judge,
Family Court,
Coimbatore.

+1 CC to MR.S.SANTHAN, Advocate SR.No.50699

+1 CC to M/S.G.RM.PALANIAPPAN, Counsel for Respondent SR.No.50749

Tr.C.M.P.No.297 of 2021
and
C.M.P.No.7422 of 2021

PL(CO)
GS(20/10/2021)