



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.11.2021

CORAM:

THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN

Tr.CMP.No.516 of 2021
and
CMP.Nos.13906 & 13907 of 2021

Pavithra

..Petitioner

Vs.

R.Vijyakumar

..Respondent

Prayer: Transfer civil miscellaneous petition filed under Section 24 of C.P.C., seeking to withdraw HMOP.No.397 of 2020 on the file of the Principal Family Court, Coimbatore and transfer the same to the Sub-ordinate Court, Udumalaipettai.

For Petitioner : Ms.V.V.Uthra

For Respondent : Mr.L.Mouli

O R D E R

The petitioner / wife seeks transfer of HMOP.No.397 of 2020 filed by the husband seeking divorce on the file of the Family Court, Coimbatore to the Sub-Court, Udumalaipettai. Transfer is sought for mainly on the ground of convenience.

2.It is claimed that the wife lives in Manuppatti near Udumalaipettai and the husband is a resident of Coimbatore. There is a three years old child born out of the wedlock. He suffers from autism and hyper activeness. He is also under treatment.

3.Resisting the claim for transfer, Mr.L.Mouli, learned counsel appearing for the respondent would submit that the husband has renal failure, since both the kidneys are effected. The above narration itself would show that both the parties are not very comfortably placed. I am of the considered opinion that it will be in the interest of both the parties that the case is taken up by a Sub-Court, where the presence of the parties for



every hearing is not necessary. The request for transfer is also only to Sub-Court. Hence, this transfer civil miscellaneous petition is allowed, HMOP.No.397 of 2020 is withdrawn from the file of the Family Court, Coimbatore and transferred to the Sub-Court, Udumalaipettai. No costs. Consequently, connected miscellaneous petitions are closed.

4. There will be a direction to the Sub-court, Udumalaipettai to dispose of the HMOP within a period of eight months from the date of receipt of the proceedings by it. Parties will be at liberty to appear through counsel before the Sub-Court, Udumalaipettai.

Sd/-

Assistant Registrar(CS-VIII)

// True Copy //

Sub Assistant Registrar

kkn

To:-

1. The Family Court,
Coimbatore.

2. The Sub-Court,
Udumalaipettai.

+2cc to Mr.R.Siva, Advocate SR.No.59342

+1cc to Mr.L.Mouli, Advocate SR.No.58952

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PMK (CO)
CB(01/12/2021)