



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 26.11.2021
CORAM:

THE HONOURABLE MRS.JUSTICE S.KANNAMMAL

Tr.C.M.P.No.549 of 2021
and
C.M.P.No.14438 of 2021

[Through video conferencing]

Mrs.S.Anittarani ... Petitioner
-vs-

D.Helman Devaraj ... Respondent

PRAYER: Transfer Civil Miscellaneous Petition is filed under Section 24 (b) (ii) of the Code of Civil Procedure, to withdraw and transfer the I.D.O.P.No.114 of 2020 pending on the file of the Family Court, Salem to the Family Court, Trichy.

For Petitioner : M/s.G.Sumitra
For Respondent : No appearance

O R D E R

The present Transfer Civil Miscellaneous Petition is filed to withdraw and transfer the I.D.O.P.No.114 of 2020 pending on the file of the Family Court, Salem to the Family Court, Trichy.

2.The learned counsel for the petitioner/wife submitted that the respondent/husband has filed I.D.O.P.No.114 of 2020 before the learned District Judge for divorce. It is further submitted that the petitioner is residing in her parents home at Trichy along with her age old mother. The distance between Salem and Trichy is around 150 Kms. The learned counsel would further submit that the petitioner is unemployed and she has no source of income and she is only taking care of her aged mother suffering from many ailments and in this circumstances, it is very difficult for her to travel alone from Trichy to Salem for attending the Court on every hearings in I.D.O.P.No.114 of 2020. Therefore, she seeks to transfer the case from the file of the Family Court, Salem to the file of the Family Court, Trichy.

3.Heard the learned counsel for the petitioner and perused the materials available on record.



4.In spite of given opportunity, there is no representation on behalf of the respondent.

5.Considering the facts and circumstances of the case and also considering 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, Trichy.

6.Accordingly, I.D.O.P.No.114 of 2020 is withdrawn from the file of the Family Court, Salem and to transfer the same to the file of the Family Court at Trichy. The learned Family Judge, Salem is directed to transmit the papers to the file of the Family Court at Trichy. The learned Family Judge, Trichy is directed to dispose of the case in I.D.O.P.No.114 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, the connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

ssi

To:

1. The Judge, Family Court, Salem.
- 2.The Judge, Family Court, Trichy.

+1 cc to M/S.G.Sumitra, Advocate Sr.NO. 6134

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KV(CO)
A.SK(10.12.2021)