



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :06.07.2021

CORAM:

THE HONOURABLE MR.JUSTICE A.A.NAKKIRAN

Tr.C.M.P. (MD) No.180 of 2021

and

C.M.P(MD) No.3404 of 2021

WEB COPY

Priya

...Petitioner/Respondent

-vs-

Vinoth Kumar

...Respondent/Petitioner

PRAYER: Transfer Civil Miscellaneous Petition is filed under Section 24 of the Code of Civil Procedure, to withdraw the case in H.M.O.P.No.121 of 2019 on the file of the Family Court, Thiruchirappalli and transfer to the Family Court, Coimbatore.

For Petitioner : Mr.N.Anandakumar

For Respondent : Mr.B.Rajesh Saravanan

O R D E R

The present Transfer Civil Miscellaneous Petition is filed to withdraw the case in H.M.O.P.No.121 of 2019 on the file of the Family Court, Thiruchirappalli and transfer to the Family Court, Coimbatore.

2.The respondent/husband has filed H.M.O.P.No.121 of 2019 before the Family Court, Thiruchirappalli, for divorce.

3. The learned counsel for the petitioner/wife submitted that the petitioner is having 7 years old child and she is residing with her parents at Coimbatore and the respondent is also working at Coimbatore and it is also convenient for the respondent to attend the Court hearings. The distance between Coimbatore to Trichy is nearly 160 kms. In these circumstances, it is difficult for the petitioner to travel from Coimbatore to Trichy for attending the Court hearing in H.M.O.P.No.121 of 2019. Hence, he seeks to transfer the case to Coimbatore.

4. The learned counsel appearing for the respondent admitted the fact that the respondent is working at Coimbatore and he further submitted that the case is pending from the year 2019 and when the case is at final stage, only with an intention to drag on the proceedings, the present petition has been filed. The reasons stated by the petitioner are not acceptable one. However, he submitted that if this Court feels to allow this petition, a direction may be issued to the Court below to dispose of the case within the stipulated period.



5. Considering the facts and circumstances of the case and also considering the submissions made by both counsel, H.M.O.P.No.121 of 2019 is withdrawn from the file of the Family Court, Thiruchirappalli and transferred to the file of the Family Court, Coimbatore, for disposal as per law. The Judge, Family Court, Thiruchirappalli, is directed to transmit the papers to the Family Court, Coimbatore, forthwith. The Judge, Family Court, Coimbatore, is directed to dispose of the case in H.M.O.P.No.121 of 2019 on merits and in accordance with within a period of four months from the date of receipt of a copy of this order.

6. In fine, this Transfer Civil Miscellaneous Petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

msa/cp

To:

- 1.The Judge, Family Court, Thiruchirappalli.
- 2.The Judge, Family Court, Coimbatore.

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SSS(CO)

LR (14.07.2021) 2P 3C