



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 23.02.2021

CORAM

THE HONOURABLE MR.JUSTICE **R.SUBRAMANIAN**

TR.C.M.P. (MD)No.465 of 2019

and

C.M.P. (MD)No.10691 of 2019

WEB COPY

R.Yamini

: Petitioner

Vs.

M.R.Balaji Dev

: Respondent

PRAYER:- The petition filed under Section 24 of the Civil Procedure Code, to withdraw and transfer the original petition in H.M.O.P.No.894 of 2018 from the file of the Family Court, Madurai to the Additional Family Court, Coimbatore and try along with H.M.O.P.No.1288 of 2018 and M.C.No.162 of 2018.

For Petitioner

:Dr.M.D.Poornachari

For Respondent

:Mr.T.Thirupathy

ORDER

The wife seeks transfer of H.M.O.P.No.894 of 2018 on the file of the Family Court, Madurai to the Additional Family Court, Coimbatore.

2.Transfer is sought for on the ground of convenience, since the wife is a resident of Coimbatore. While Mr.M.D.Poornachari, learned Counsel for the petitioner/wife would submit that the wife is having custody of five years old minor girl and therefore, she cannot travel to Madurai for every hearing, Mr.T.Thirupathy, learned Counsel for the respondent/husband would submit that he has been humiliated and put to lot of sufferings due to the conduct of the wife and going to Coimbatore would result in much more humiliation.

3.Considering the averments made in the affidavit and the contentions of the respective Counsels, I am of the consideration opinion that the OP could be transferred to a Subordinate Court, where the presence of the parties is not required for every hearing. In the light of the allegations and the counter allegations, I feel that it will be better, if the parties do not meet each other more frequently.

4.In view of the above, H.M.O.P.No.894 of 2018 is withdrawn from the file of the Family Court, Madurai and transferred to the file of the Principal Subordinate Court, Coimbatore, to be tried and disposed of in accordance with law.



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5.The Transfer Civil Miscellaneous Petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (ADII)

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Sub Assistant Registrar(CS)

To

1.The Judge, Family Court, Madurai.

2..The Principal Subordinate Judge, Coimbatore.

+1 CC to M/s.M.D.POORNACHARI, Advocate (SR-6827[F] dated 24/02/2021)

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KUN(CO)

KB(05.03.2021) 2P 4C