



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.04.2022

WEB COPY

CORAM

THE HONOURABLE Ms. JUSTICE P.T. ASHA

Tr.C.M.P.No.104 of 2022

&

C.M.P.No.1901 of 2022

R.Krishnaveni

... Petitioner

Vs

P.S.Dharmaraja

... Respondent

Prayer: The petition is filed under Section 24 of the Code of Civil Procedure to withdraw * H.M.O.P.No.31 of 2020 * on the file of the Family Court, Cuddalore and transfer the same to the Family Court, Ariyallur.

(*Amended as per order dated 25.04.2022 in C.M.P.No.7575 of 2022)

For Petitioner

:

Mr.M.Guruprasad

For Respondent

:

Mr.N.U.Pressanna

ORDER

The above transfer petition is filed by the wife seeking transfer of H.M.O.P.No.31 of 2020, filed by the husband seeking divorce on the file of the Family Court, Cuddalore to the file of the Family Court, Ariyallur.

2. It is the case of the petitioner wife that she is residing at Jayankondam with her child. The petitioner would state that she has to travel 110 Kms to reach Family Court, Cuddalore to attend the hearing and it is extremely difficult for her to travel with her child. The petitioner would further submit that at present she is not being supported financially by her husband. Therefore, she has come forward with the petition seeking transfer of H.M.O.P.No.31 of 2020 from the file of the Family Court, Cuddalore to the file of the Family Court, Ariyallur.

3. Heard the learned counsel and perused the records



4. It is seen from the records that pending the HMOP, the petitioner wife has filed I.A.No.114 of 2021 in H.M.O.P.No.31 of 2020 seeking interim maintenance. By order dated 27.10.2021, the learned Judge has directed the respondent to pay the interim maintenance of Rs.13,000/- per month from the month of February 2021 till the disposal of HMOP and Rs.25,000/- towards litigation expenses which is yet to be paid.

5. Considering the fact that the petitioner is residing at Jayankondam and also taking into account the fact that the respondent husband is not maintaining his wife and his child, the Transfer Civil Miscellaneous Petition is allowed. Accordingly, H.M.O.P.No.31 of 2020 pending on the file of the Family Court, Cuddalore is withdrawn and transferred to the file of the Family Court, Ariyallur. The learned Family Court Judge, Ariyallur shall proceed with the HMOP only on compliance of the order in I.A.No.114 of 2021. Consequently, connected Civil Miscellaneous Petition is closed. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

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To

1.The Family Court, Cuddalore.

2.The Family Court, Ariyallur.

+1cc to Mr.M.Guruprasad, Advocate SR.No.28791

Tr.C.M.P.No.104 of 2022

SKM(CO)
GN(03/06/2022)