



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.04.2022

CORAM

THE HONOURABLE MS. JUSTICE P.T.ASHA

Tr.CMP. No.105 of 2022

and

C.M.P.No.1911 of 2022

V.Karthiga

... Petitioner/Respondent

Vs

P.Kaviarasu

... Respondent/Petitioner

PRAYER: Petition filed under Section 24 of the Code of Civil Procedure, to withdraw the case in HMOP No. 29 of 2021 on the file of the Subordinate Court Tiruppathur and to transfer the same to the Family Court Chennai.

For Petitioner : Mr.S.V.Karthikeyan

For Respondent : No appearance

ORDER

The respondent/wife in a petition for divorce filed by the husband on the file of the Subordinate Court, Tiruppathur in H.M.O.P.No.29 of 2021 is the petitioner before this Court. The petitioner seeks to withdraw the above proceedings pending on the file of the Subordinate Court, Tiruppathur and transfer the same to the file of the Family Court, Chennai.

2. Reason for seeking the transfer are as follows:

i) She is now residing in Chennai with her 5 months old baby and since she has no source of income, she is fully dependent on her widowed mother.

ii) She would also state that she has to travel about 250 Kms for instructing her counsel and to sign papers.

3. The respondent/husband though served has not entered appearance either in person or through counsel.

4. Heard the learned counsel for the petitioner/wife.



5. Considering the fact that the petitioner has been deserted by her husband and is now entirely dependent on her widowed mother, since the respondent has not been maintaining her and her 5 months old baby, her request for seeking transfer appears reasonable.

6. In view of the above circumstances, the Transfer Civil Miscellaneous Petition is allowed and H.M.O.P.No.29 of 2021, pending on the file of the Subordinate Court, Tiruppathur is withdrawn and transferred to the file of the Family Court, Chennai. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

shr

To

1. The Subordinate Judge,
Tiruppathur.
2. The Family Court,
Chennai.

+1cc to Mr.S.V.Karthikeyan, Advocate, S.R.No.25727

Tr.CMP. No.105 of 2022
and
C.M.P.No.1911 of 2022

KJ[co]
NSK 16/05/2022