



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 15.03.2022

C O R A M

THE HONOURABLE Ms.JUSTICE P.T.ASHA

Tr. C.M.P. No.25 of 2022
and
C.M.P. No.692 of 2022

B.Ramya

... Petitioner/ Respondent

Versus

S.Vinothkumar

...Respondent/ Petitioner

Prayer: Transfer Civil Miscellaneous Petition filed under Section 24 of the Civil Procedure Code to withdraw the case in H.M.O.P. No.169 of 2021 from the file of the Additional Sub Court, Hosur and transfer the same to the Family Court at Coimbatore for join trial in M.C.No.162 of 2021.

For Petitioner ... Mr.Udaya P.S.Menon

For Respondent ... Ms.R.Bharath Kumar

O R D E R

The petition is filed by the wife seeking transfer of H.M.O.P.No.169 of 2021 filed by her husband for divorce pending on the file of the Sub Court, Hosur to the file of the Family Court, Coimbatore to be tried along with M.C.No.162 of 2021 filed by the wife.

2. On a perusal of the petition and hearing the learned counsel for the petitioner, it appears that the petitioner is residing at Coimbatore and the respondent husband is working at Bangalore. Since the respondent husband is not giving maintenance to his wife, she has also filed a maintenance petition, which is pending on the file of the Family Court, Coimbatore. In these circumstances, it may not be possible for the petitioner to travel all the way to Hosur to attend hearings of the petition. Therefore, considering the compelling reasons given, the petition is allowed as prayed for. However, considering the fact that the respondent husband is now working at Bangalore, his presence for all the hearing is dispensed with except when he is required to be present for counselling and for adducing evidence.



3. Accordingly, this Transfer Civil Miscellaneous Petition is allowed and H.M.O.P.No.169 of 2021 filed by her husband pending on the file of the Sub Court, Hosur is withdrawn and transferred to the file of the Family Court, Coimbatore to be tried along with M.C.No.162 of 2021 filed by the wife. No Costs. Consequently, the connected Civil Miscellaneous Petition is closed.

Sd/-
Assistant Registrar(CS-III)

//True Copy//

Sub Assistant Registrar

ab/srn

To

1. The Additional Sub Court, Hosur.
2. The Family Court, Coimbatore
3. The Section Officer,
VR Section, Madras High Court,
Chennai.

+1cc to M/s.R.Bharath Kumar, Advocate, S.R.No.18233
+1cc to Mr.V.Vijayakumar, Advocate, S.R.No.17957

Tr. C.M.P. No.25 of 2022
and
C.M.P. No.692 of 2022

SKM(CO)
SB(28/03/2022)