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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.02.2022

CORAM

THE HONOURABLE MS.JUSTICE P.T.ASHA

TR.C.M.P.NO.16 OF 2022

&

C.M.P.NO.500 OF 2022

V.Vino @ Vinothini

... Petitioner

Vs

S.Dhina @ Dhineshkumar

... Respondent

Prayer: Transfer Civil Miscellaneous Petition is filed under Section 24 of the Code of Civil Procedure to withdraw H.M.O.P.No.813 of 2020 on the file of the Family Court, Coimbatore and transfer it to the file of Family Court, Erode to be heard along with F.C.O.P.No.314 of 2020 pending on its file.

For Petitioner : Mr.S.Kaithamalai Kumaran

For Respondent : No Appearance

ORDER

The above Transfer Civil Miscellaneous Petition is filed seeking transfer of the proceedings filed by the respondent husband for divorce in H.M.O.P.No.813 of 2020 pending on the file of the Family Court, Coimbatore to the Family Court, Erode, to be tried along with F.C.O.P.No.314 of 2020.

2. The grounds on which the transfer was sought for are as follows.

(a) The petitioner has not been supported financially by the respondent and she also has to take care of her minor daughter who is aged about 3 years. The respondent had not even cared to visit the child or spare money for her medical expenses.



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(b) The petition filed by the respondent in H.M.O.P.No.813 of 2020 on the file of the Family Court, Coimbatore is only a counter blast to the petition filed by the petitioner in F.C.O.P.No.314 of 2020, on the file of the Family Court, Erode.

(c) The petitioner is now living with her parents and the medical expenses of her child has also been taken care by her aged parents.

(d) The petitioner cannot travel by herself and would have to take the assistance of her father which would be a great deal of hardship and strain both financially as well as physically.

3. The respondent though served has not entered appearance.

4. Considering the reasons that has been put forward by the petitioner and also taking note of the fact that the petitioner is residing at Erode, the Transfer Civil Miscellaneous Petition is allowed. Accordingly, H.M.O.P.No.813 of 2020 pending on the file of the Family Court, Coimbatore, is withdrawn and transferred to the file of the Family Court, Erode to be tried along with F.C.O.P.No.314 of 2020. Consequently, connected Civil Miscellaneous Petition is closed. No costs.

Sd/-

Assistant Registrar(CS-VII)

//True Copy//

Sub Assistant Registrar

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To

- 1.The Family Court, Coimbatore.
- 2.The Family Court, Erode.

+1cc to Mr.S.Kaithamalai Kumaran, Advocate, S.R.No.10597

Tr.C.M.P.No.16 of 2022

GJ(CO)
RLP(09/03/2022)