



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.03.2022

CORAM

THE HON'BLE Ms.JUSTICE P.T.ASHA

Tr.C.M.P.No.95 of 2022

and

C.M.P.No.1798 of 2022

1.M.Anandhi

2.K.Yuvashri - (Minor)

3.K.Sarveshwar - (Minor)

... Petitioners

Minors rep by their mother

and natural guardian M.Anandhi

Vs

A.Kuppan @ Kowshik

... Respondent

PRAYER: Transfer Civil Miscellaneous Petition is filed under Section 24 of Civil Procedure Code, to withdraw H.M.O.P.No.72 of 2021 on the file of the I Subordinate Judge, Madhuranthagam and transfer the same to the file of the V Additional Family Court, Chennai along with the M.C.No.247 of 2020 filed by the petitioner.

For Petitioners : Mr.M.Rajamani

For Respondent : No appearance

O R D E R

This Transfer Civil Miscellaneous Petition is filed by the petitioner-wife seeking to withdraw H.M.O.P.No.72 of 2021 filed by the respondent husband for divorce from the file of the I Subordinate Judge, Madhuranthagam and transfer the same to the file of the V Additional Family Court, Chennai to be tried along with M.C.No.247 of 2020 filed by the petitioner wife.

2. Transfer is sought for by the petitioner-wife on the ground that that she is residing in Chennai with her two young children and her aged parents. It would be very difficult for her to attend the Court proceedings at Madhuranthagam, which is about 100 kms away from Chennai and she had also underwent a Gall Bladder Surgery. Since her husband is not paying any maintenance to her and two minor children as well, she had filed



a maintenance case in M.C.No.247 of 2020, which is pending before the learned V Additional Family Court, Chennai.

3. Heard the learned counsel for the petitioner and perused the materials available on record. The respondent, though served, has not entered appearance.

4. Considering the reasons given and the fact that the wife is residing within the Jurisdiction of the V Additional Family Court, Chennai, this Court is of the considered view that the request for transfer should be allowed.

5. Accordingly, the transfer Civil Miscellaneous Petition is allowed. H.M.O.P.No.72 of 2021 pending on the file of the I Subordinate Judge, Madhuranthagam shall withdrawn and transferred to the file of the V Additional Family Court, Chennai, to be tried along with M.C.No.247 of 2020. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-  
Assistant Registrar

//True copy//

Sub Assistant Registrar

ab/srn

To

1. The I Subordinate Judge,  
Madhuranthagam.
2. The V Additional Judge,  
The V Additional Family Court,  
Chennai.

+1cc to Mr.I.Saddam Hussain, Advocate SR.No.17726

Tr.C.M.P.No.95 of 2022  
and  
C.M.P.No.1798 of 2022

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