



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.04.2022

CORAM

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

Tr.C.M.P.No.74 of 2022
and C.M.P.No.1561 of 2022

P.Ranjani

... Petitioner

Vs

R.Ravikumar

... Respondent

PRAYER: Transfer Civil Miscellaneous Petition is filed under Section 24 of Civil Procedure Code, praying to withdraw the H.M.O.P.No.141 of 2021 pending on the file of the learned Family Court at Cuddalore and transfer the same to the file of the learned Sub Court at Chidambaram.

For Petitioner : M/s.Revathi G Mohan

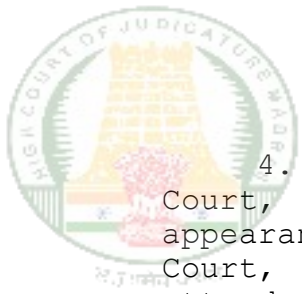
For Respondent : M/s.R.Gouri

ORDER

The petitioner/wife has filed this Transfer Civil Miscellaneous Petition, seeking transfer of H.M.O.P.No.141 of 2021, pending on the file of the Family Court at Cuddalore filed by the respondent/ husband for divorce to the file of the Sub Court at Chidambaram.

2. Transfer is sought for by the petitioner-wife on the ground that she is residing in Chidambaram. It is her grievance that she finds it very difficult for her to appear before the Family Court at Cuddalore along with her 3 year old minor child, as she has to travel more than 55 kilometers for every hearing. Further, she has to take the assistance of her aged father to accompany her. The said H.M.O.P is pending before the Family Court, where the presence of the parties is mandatory for all hearings. Since the respondent-husband is not paying any maintenance to her and her minor child, she is unable to incur the travelling expenses also. Hence, she sought for transfer.

3. Heard the learned counsel for the petitioner and the respondent and perused the materials available on record.



4. Admittedly, the matter is pending before the Family Court, where the presence of parties is mandatory. Since the appearance of the parties is not mandatory before the Sub Court, it may not be difficult for the respondent-husband to attend the Court hearings. Hence, it would not be prejudicial for him, if the matter is transferred to Sub Court, Chidambaram.

5. Taking into consideration the above grievances expressed by the petitioner-wife, the Transfer Civil Miscellaneous Petition is allowed and H.M.O.P.No.141 of 2021 pending on the file of the Family Court at Cuddalore is withdrawn and transferred to the file of the Sub Court at Chidambaram. No Costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS-VI)

//True Copy//

Sub Assistant Registrar

srn

To

1.The Judge, Family Court,
Cuddalore.

2.The Subordinate Judge,
Chidambaram.

3.The Section Officer,
V.R.Section, High Court, Madras.

+1cc to M/s.Revathi G.Mohan, Advocate SR. No. 26515

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SKM (CO)
PR (04/05/2022)