



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.03.2022

CORAM

THE HONOURABLE MS.JUSTICE P.T.ASHA

TR.C.M.P.NO.73 OF 2022

&

C.M.P.NO.1565 OF 2022

K.Mehala

... Petitioner

Vs

B.Arulmurugan

... Respondent

Prayer: Transfer Civil Miscellaneous Petition is filed under Section 24 of the Code of Civil Procedure to withdraw H.M.O.P.No.54 of 2021 pending on the file of the Subordinate Court, Dharapuram and transfer the same to Family Court, Erode.

For Petitioner : Mr.C.Vasudevan

For Respondent : Mr.M.Guruprasad

ORDER

The above Transfer petition has been filed by the wife for transfer of H.M.O.P.No.54 of 2021, filed by the husband seeking divorce on the file of the Subordinate Court, Dharapuram to the file of the Family Court, Erode.

2. The petitioner would submit that she is living with her parents at Erode along with her 7 year old daughter and the distance between Erode and Dharapuram is more than 70 Kms. The petitioner would submit that her parents are aged and sick and they cannot accompany her to attend every hearing.

3. The petitioner would further submit that she has filed F.C.O.P.No.469 of 2021, for restitution of conjugal rights on the file of the Family Court, Erode.



4. Heard the learned counsel and perused the records.

5. Considering the fact that the petitioner is residing at Erode and also taking into account the fact that she has filed F.C.O.P.No.469 of 2021, for restitution of conjugal rights on the file of the Family Court, Erode, the Transfer Civil Miscellaneous Petition is allowed. Accordingly, H.M.O.P.No.54 of 2021 is withdrawn from the file of the Subordinate Court, Dharapuram and transferred to the file of the Family Court, Erode. Consequently, connected Civil Miscellaneous Petition is closed. No costs.

6. The presence of the respondent husband shall be dispensed with except for attending counselling and for adducing evidence.

Sd/-

Assistant Registrar(CS-IX)

//True Copy//

Sub Assistant Registrar

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To

1. The Subordinate Judge, Dharapuram.

2. The Judge, Family Court, Erode.

+1cc to Mr.M.Guruprasad, Advocate, S.R.No.16424

Tr.C.M.P.No.73 of 2022

GPL(CO)

RLP(11/04/2022)