



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.04.2022

CORAM

THE HONOURABLE MS. JUSTICE P.T.ASHA

TR.CMP. NO.200 OF 2022

AND

C.M.P.NO.4068 OF 2022

Devagi

... Petitioner/Respondent

Vs

Dhinakaran

... Respondent/Petitioner

PRAYER:

Petition filed under Section 24 of the Code of Civil Procedure, to withdraw the case HMOP No.2047 of 2021 on the file of the Family Court at Coimbatore and transfer the same to the Family Court at Namakkal, Namakkal District.

For Petitioner : Mr.B.Vasudevan
For Respondent : No appearance

ORDER

The respondent/wife in a petition for divorce filed by the husband on the file of the Family Court Coimbatore in H.M.O.P.No.2047 of 2021 is the petitioner before this Court. The petitioner seeks to withdraw the above proceedings pending on the file of the Family Court Coimbatore and transfer the same to the file of the Family Court, Namakkal.

2. The transfer is sought on the ground that despite the maintenance order being passed in M.C.No.15 of 2011 before the Chief Judicial Magistrate Court, Namakkal, the entire maintenance amount have not been cleared by the respondent/husband. That apart, the petitioner would state that there is no direct bus service from her place of residence namely Senthamangalam, Namakkal to Coimbatore. She would have to travel to Namakkal then to Erode and then to Coimbatore which clearly shows that she has to take three buses to reach



Coimbatore. This is a considerable constraint on the lady particularly when the petitioner is suffering from an ailment. She finds it very difficult to travel such a long distance.

3. The respondent though served has not entered appearance either in person or through counsel.

4. Heard the learned counsel for the petitioner.

5. The petitioner has given fairly compelling reasons for seeking the transfer. That apart, it is informed that the wife had filed a petition for maintenance before the Family Court at Namakkal in M.C.No.15 of 2011 even as early as in the year 2011 before the Chief Judicial Magistrate Court, Namakkal.

6. In these circumstances, the Transfer Civil Miscellaneous Petition is allowed and H.MO.P.No.2047 of 2021, pending on the file of the Family Court Coimbatore, is withdrawn and transferred to the file of the Family Court, Namakkal. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

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To

1. The Judge, The Family Court at Coimbatore.

2. The Judge, The Family Court, Namakkal.

+lcc to Mr.B.Vasudevan, Advocate, S.R.No.26616

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SKM(CO)
PM/13/05/2022