



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 31.03.2022

CORAM

THE HONOURABLE MS. JUSTICE P.T.ASHA

Tr.CMP. No.137 of 2022
and C.M.P.No.2804 of 2022

M.Prabhavathi

... Petitioner

Vs

M.Rajesh

... Respondent

PRAYER: Petition filed under Section 24 of the Code of Civil Procedure, to withdraw H.M.O.P.No.226 of 2021 on the file of the Sub Court, Thirumangalam and transfer the same to the file of the Family Court, Coimbatore.

For Petitioner : Mr.K.S.Karthik Raja
For Respondent : Served- No Appearance

ORDER

Seeking a transfer of the petition filed by her husband for divorce in H.M.O.P.No.226 of 2021, pending on the file of the Sub Court, Thirumangalam, Madurai, the petitioner-wife is before this Court.

2. The petitioner-wife has also filed an application under Domestic Violence Act in D.V.A.No.183 of 2021 on the file of the Special Court for Domestic Violence cases, Coimbatore, in which, the respondent-husband is appearing and the same is pending.

3. The grounds on which the transfer is sought for by the petitioner-wife is that she is residing in Coimbatore District and the distance between Coimbatore and Madurai is nearly 250 kms and it would be extremely difficult for her to travel such a long distance and attend the Court hearings at Madurai. Further, her father is no more and she is living only with her mother. In fact, the respondent-husband is also threatening the petitioner with dire consequences, if she attends the hearings at Madurai.

4. Heard the learned counsel for the petitioner and perused materials available on record. Though notice was served on the respondent, he has not entered appearance either in person or through counsel.



5. Taking into consideration the above grievances expressed by the petitioner, this Court deems it fit to transfer the said H.M.O.P.No.226 of 2021 pending on the file of the Sub Court, Thirumangalam.

6. Accordingly, Tr.C.M.P is allowed and H.M.O.P.No.226 of 2021 pending on the file of the Sub Court, Thirumangalam shall stand withdrawn and the same is transferred to the Family Court, Coimbatore. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

srn

To

- 1.The Subordinate Judge, Thirumangalam
- 2.The Family Court, Coimbatore.

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MG(CO)
CT 19/04/2022