



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.04.2022

CORAM

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

Tr.C.M.P.No.104 of 2021
and
C.M.P.No.3504 of 2021

P.Umarani

... Petitioner

Vs

Karthikraja

... Respondent

PRAYER: Transfer Civil Miscellaneous Petition is filed under Section 24 of Civil Procedure Code, to withdraw the proceeding in H.M.O.P.No.24 of 2021 from the file of the Family Court, Sivagangai and transfer the same to the file of the Family Court, Coimbatore to be tried along with H.M.O.P.No.1561 of 2019.

For Petitioner : Mr.Ramesh Kumar G.Chopra

For Respondent : Served - No appearance

O R D E R

This Transfer Civil Miscellaneous Petition is filed seeking to withdraw H.M.O.P.No.24 of 2021 filed by the respondent-husband from the file of the Family Court, Sivagangai and transfer the same to the file of the Family Court, Coimbatore, to be tried along with H.M.O.P.No.1561 of 2019.

2. The petitioner-wife has filed H.M.O.P.No.1561 of 2019 under Section 13(1)(i-a) of the Hindu Marriage Act on the file of the Family Court, Coimbatore for divorce. Subsequently, the respondent-husband has filed H.M.O.P.No.24 of 2021 on the file of the Family Court, Sivagangai for divorce.

3. Transfer is sought for by the petitioner-wife on the ground that that she is residing in Coimbatore. It is her grievance that she is unemployed and has no independent source of income. She is totally depending on her parents. Her parents are also not in a position to bear the expenses of her travel all the time from Coimbatore to Sivagangai to contest the proceedings.



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

WEB COPY

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

6. Accordingly, the transfer Civil Miscellaneous Petition is allowed. H.M.O.P.No.24 of 2021 pending on the file of the Family Court, Sivagangai shall withdrawn and transferred to the file of the Family Court, Coimbatore, to be tried along with H.M.O.P.No.1561 of 2019. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS-IX)

//True copy//

Sub Assistant Registrar

srn

To

1. The Judge, Family Court, Coimbatore.
2. The Judge, Family Court, Sivagangai.

Tr.C.M.P.No.104 of 2021
and
C.M.P.No.3504 of 2021

PM(CO)
GMY(12/05/2022)