



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.04.2022

CORAM

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

Tr.C.M.P.No.178 of 2022
and
C.M.P.No.3526 of 2022

Ramya

...Petitioner

Vs

Vijayakumar

...Respondent

PRAYER: Transfer Civil Miscellaneous Petition is filed under Section 24 of Civil Procedure Code, praying to withdraw H.M.O.P.No.90 of 2019 from the file of the Subordinate Court, Rasipuram and transfer the same to the file of the Family Court, Chennai.

For Petitioner : Ms.B.Poongkhulali

For Respondent : Mr.L.Mouli

O R D E R

The wife in a matrimonial dispute has filed the above transfer civil miscellaneous petition seeking to withdraw the H.M.O.P.No.90 of 2019 pending on the file of the Sub Court, Rasipuram, filed by the husband for divorce and transfer the same to the file of the Family Court, Chennai.

2.Heard the learned counsel for the petitioner and the learned counsel for the respondent.

3.The learned counsel for the respondent, on instructions, would submit that respondent-husband has no objection for the said transfer.

4.The petitioner-wife, in her typed set of papers, has enclosed a certificate stating that she is suffering from Multiple Sclerosis, which is a chronic neurological disorder. The petitioner-wife would submit that it causes a great deal of discomfort and pain for her appearance before the Family Court for each and every hearing, since the presence of the parties is



mandatory in the Family Court.

5. Considering the special circumstances, the presence of both the parties, namely, the petitioner-wife and the respondent-husband shall be dispensed with except for their appearance in the mediation process/ counselling and for adducing evidence.

6. Accordingly, the Transfer Civil Miscellaneous Petition is allowed and H.M.O.P.No.90 of 2019 pending on the file of the Sub Court, Rasipuram shall stand withdrawn and the same is transferred to the Family Court, Chennai. No Costs. Consequently, the connected Civil Miscellaneous Petition is closed.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

srn

To

1. The Subordinate Judge, Rasipuram.
2. The Judge, Family Court, Chennai.
3. The Section Officer,
V.R.Section, High Court,
Madras.

+1cc to M/s.L.Mouli, Advocate, S.R.No.23949

+1cc to M/s.B.Poonkhulali, Advocate, S.R.No.23421

Tr.C.M.P.No.178 of 2022
and
C.M.P.No.3526 of 2022

PL(CO)
RGA(27/04/2022)