



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.04.2022

CORAM

THE HONOURABLE MS. JUSTICE P.T.ASHA

Tr.CMP. No.175 of 2022

and

C.M.P.No.3452 of 2022

Mrs.Shanmugapriya

... Petitioner/Respondent

Vs

Lokesh Kumar

... Respondent/Petitioner

PRAYER: Petition filed under Section 24 of the Code of Civil Procedure, to withdraw the case in HMOP No.14 of 2022 pending on the file of the Sub Court at Alandur, Kancheepuram District and transfer the same to the Family Court Coimbatore to be tried along with HMOP No.621 of 2021.

For Petitioner : Mr.S.Ashok Kumar

For Respondent : No appearance

ORDER

The respondent/wife in a petition for divorce filed by the husband on the file of the Sub Court at Alandur in H.M.O.P.No.14 of 2022 is the petitioner before this Court. The petitioner seeks to withdraw the above proceedings pending on the file of the Sub Court at Alandur and transfer the same to the file of the Family Court, Coimbatore to be tried along with HMOP No.621 of 2021.

2. The petitioner's reasons for seeking transfer is on the ground that the petitioner herein has filed a petition for restitution of conjugal rights in HMOP No.621 of 2021 which is pending on the file of the Family Court, Coimbatore. The petitioner would further submit that the distance between her native place and the Sub Court Alandur is about 500 kilometers and it is very difficult for her to attend each and every proceedings along with her one year old female child. Further she would also submit that her parents are no more and it is



very difficult for her to run day to day life with her one year old girl child.

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

4. Heard the learned counsel for the petitioner/wife.

5. Therefore, in order to avoid conflicting judgments and also taking into account the fact that the petition filed by the petitioner/wife is now pending on the file of the Family Court Coimbatore, interest of justice would be served if HMOP No.14 of 2022 pending on the file of the Sub Court at Alandur transferred to the file of the Family Court, Coimbatore to be tried along with HMOP No.621 of 2021.

6. In the light of the above, the Transfer Civil Miscellaneous Petition is allowed as prayed for. No costs. Consequently, connected Miscellaneous Petition is closed.

SD/-
ASSISTANT REGISTRAR

// TRUE COPY //

SUB ASSISTANT REGISTRAR

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To

1.The Sub Court at Alandur,
Kancheepuram District.

2.The Family Court,
Coimbatore.

+lcc to Mr.S.Ashok Kumar, Advocate Sr.24940

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