



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.04.2022

CORAM

THE HONOURABLE Ms. JUSTICE P.T. ASHA

Tr.C.M.P.No.183 of 2022
and
C.M.P.No.3704 of 2022

Mylathal @ Mythili

... Petitioner

Vs.

R.Gurusamy @ Thamizhselvan

... Respondent

PRAYER: Transfer Civil Miscellaneous Petition filed under Section 24 of the Civil Procedure Code to withdraw the H.M.O.P.No.68 of 2020 from the file of the Family Court, Karur and to transfer the same to the file of the Family Court, Erode.

For Petitioner : Mr.R.Prabakar

For Respondent : Mr.K.Suresh

O R D E R

The petitioner/wife has filed this petition seeking transfer of H.M.O.P.No.68 of 2020 filed by the respondent/husband for divorce on the file of the Family Court, Karur to the Family Court, Erode.

2. The petitioner has sought for a transfer on the following grounds:

a) Since the matter is pending before the Family Court, Karur, the petitioner/wife is constrained to travel 75 Kms., for every hearing from Karur to Erode which is causing considerable physical as well as financial stress on her.

b) The petitioner/wife is physically weak since she suffered abortions. She is residing at her parent's house and she is only depending on her parents for her maintenance and upkeep.

3. It is informed by the learned counsel for the respondent that the matter is now pending trial stage. It is also informed



by the learned counsel for the respondent that the respondent is a tailor by avocation and if he is made to travel for every hearing it may cause great hardship to the respondent.

4. Considering the above, this Petition is ordered on condition that the petitioner/wife shall cross-examine the husband on the very same day that he completes his chief examination. The respondent is directed to give an advance copy of the proof affidavit to the petitioner/wife. For the other hearings, the presence of the respondent is dispensed with.

5. Accordingly, this Transfer Miscellaneous Petition is allowed and H.M.O.P.No.68 of 2020 pending on the file of the the Family Court, Karur is withdrawn and transferred to the file of the Family Court, Erode. No Costs. Consequently, connected Civil Miscellaneous Petition is closed.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

ssn

To

1. The Family Court,
Karur.

2. The Family Court,
Erode.

+1cc to Mr.R.Prabakar, Advocate, S.R.No.26217

+1cc to Mr.K.Suresh, Advocate, S.R.No.26701

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RLD(CO)
SU(13/05/2022)