



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.04.2022

CORAM

THE HONOURABLE MS. JUSTICE P.T.ASHA

Tr.CMP. No.184 of 2022
and
C.M.P.No.3714 of 2022

Durga

...Petitioner/Petitioner

Vs

S.Suresh

...Respondent/Respondent

PRAYER: Petition filed under Section 24 of the Code of Civil Procedure, to withdraw the FCHMOP No.77 of 2020 pending on the file of Family Court, Dharmapuri and to transfer the same to be tried in Hon'ble Family Court, Krishnagiri.

For Petitioner : Mr.Mukund R.Pandian
For Respondent : Mr.P.Valliappan
[for M/s P.V.Law Associates]

ORDER

The respondent/wife in a petition for divorce filed by the husband on the file of the Family Court, Dharmapuri in F.C.H.M.O.P.No.77 of 2020 is the petitioner before this Court. The petitioner seeks to withdraw the same from the file of the Subordinate Judge, Dharmapuri and transfer the same to the file of the Family Court at Krishnagiri.

2. The petitioner's reasons for seeking transfer is on the ground that the distance between her native place to the Family Court at Dharmapuri is more than 90 Kms and she has no source of income and she is dependent on her aged parents and financial condition of her parents is not good. The petitioner would also submit that the respondent and his parents are influential people at Dharmapuri which may cause prejudice to conduct the present case before the Dharmapuri Family Court. She would further submit that it is very difficult for her to travel alone



from Soolagiri to Dharmapuri for every hearing, since her father is a senior citizen and he is not in a good health.

3. Although the wife has filed an application for transferring F.C.H.M.O.P. No.77 of 2020 pending on the file of the Family Court, Dharmapuri to the Family Court at Krishnagiri, but it is informed by the learned counsel that the Sub Court, Palacode is much closer to the place of residence of the petitioner. Therefore, F.C.H.M.O.P. No.77 of 2020 may be withdrawn from the file of the Family Court, Dharmapuri and transferred to the file of the Sub Court, Palacode.

4. The respondent/husband who has entered appearance through counsel has no serious objection for the transfer being made.

5. In the light of the above, the Transfer Civil Miscellaneous Petition is allowed and F.C.H.M.O.P. No.77 of 2020, pending on the file of the Family Court, Dharmapuri is withdrawn and transferred to the file of the Sub Court, Palacode. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (CO)

//True Copy//

Sub Assistant Registrar

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To

1.The Subordinate Judge,
Family Court, Dharmapuri.

2.The Sub Judge,
Palacode.

+1cc to Mr.Mukund R.Pandian, Advocate SR. No. 25718

+1cc to Mr.P.Valliappan, Advocate, Sr.No.25877(07/06/2022)

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and

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AKII (CO)

PR (19/05/2022)