



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.211 OF 2022

AND

C.M.P.NO.4359 OF 2022

Nithiya

... Petitioner

Vs.

Manikandan

... Respondent

PRAYER: Transfer Civil Miscellaneous Petition filed under Section 24 of the Civil Procedure Code to withdraw H.M.O.P.No.453 of 2021 on the file of Subordinate Court, Ponneri and transfer the same to the I Additional Family Court, Chennai.

For Petitioner : Mr.E.Iyappan

For Respondent : Mr.T.R.Ravi

O R D E R

The petitioner/wife has filed this petition seeking transfer of H.M.O.P.No.453 of 2021 filed by the respondent/husband for divorce on the file of the Subordinate Court, Ponneri to the file of the I Additional Family Court, Chennai.

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

a) The petitioner/wife is residing in Chennai at her parents house along with her aged mother, she has to take care of her mother.

b) The respondent/husband is not providing any maintenance to the petitioner, and she has filed a maintenance case against the respondent in M.O.P.No.67 of 2022 which is pending on the file of the learned I Additional Family Court, Chennai.



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

4. Considering the fact that the respondent/husband is not paying maintenance to her and since she is now totally dependent on her parents, it would not be fair to compel the petitioner to engage a counsel at Ponneri to contest her case and also appear before the Court as and when required.

5. In these circumstances, this Court is inclined to allow this petition and accordingly, this Transfer Miscellaneous Petition is allowed and H.M.O.P.No.453 of 2021 pending on the file of the Subordinate Court, Ponneri is withdrawn and transferred to the file of the I Additional Family Court, Chennai. No Costs. Consequently, connected Civil Miscellaneous Petition is closed.

Sd/-

Assistant Registrar(CS-III)

//True Copy//

Sub Assistant Registrar

ssn

To

1. The Subordinate Judge, Ponneri.

2. The I Additional Family Judge, Chennai.

+1cc to M/s.T.R.Ravi, Advocate, S.R.No.26826

Tr.C.M.P.No.211 of 2022

and

C.M.P.No.4359 of 2022

SSI (CO)

RLP(11/05/2022)