



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.06.2022

CORAM

THE HONOURABLE MS.JUSTICE R.N.MANJULA

TR.CMP.NO.462 OF 2022

AND

CMP.NO.8313 OF 2022

Krishna Veni

...Petitioner

Vs.

K.Selvaraj

...Respondent

PRAYER : The memorandum of Transfer Petition filed under Section 24 of Civil Procedure Code, to withdraw the H.M.O.P.No.282 of 2019 on the file of the Family Court, Salem and transfer the same to the file the Subordinate Court, Attur to be tried jointly along with H.M.O.P.No.09/2022.

For Petitioner : Mr.L.Mouli

ORDER

The petition has been preferred to withdraw the H.M.O.P.No.282/2019 on the file of the Family Court, Salem and transfer the same to the file of the Subordinate Court, Attur to be tried along with H.M.O.P.No.09/2022.

2. It is seen from the records that the respondent/husband has filed a petition for divorce before the Family Court, Salem and subsequently the petitioner/wife also filed another H.M.O.P.No.09/2022 before the Sub Court, Salem for restitution of conjugal rights.

3. Attur is just near by to Salem. It would have been ideal if the petitioner had sought a transfer of H.M.O.P.No.9/2022 to Salem in view of the speciality of the Family Court. Since H.M.O.P.No.9/2022 has been pending at the Sub Court, Attur will be difficult for the Sub Court to deal with other H.M.O.P also along with the other pending matters before it. Since the Family Court at Salem is vested with the special power to deal with the family matters alone, it would not be ideal to withdraw the proceedings pending from Salem and transfer it to Attur, especially when the distance between Salem and Attur is not much.



4. Hence the Transfer Civil Miscellaneous Petition stands dismissed. No costs. Consequently, connected Civil Miscellaneous Petition is also closed. The respondent/wife can also file an appropriate petition to get orders for payment of travel expenses by her husband.

Sd/-
Assistant Registrar(CS-VI)

// True Copy //

Sub Assistant Registrar

jrs

To

1.The Family Court,
Salem.

2.The Section Officer,
V.R.Section,
High Court, Madras.

+1cc to M/s.L.Mouli, Advocate Sr.No.33293

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PMK(CO)
RVM(16/06/2022)