



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.06.2022

CORAM

THE HONOURABLE MS.JUSTICE R.N.MANJULA

TR.C.M.P.NO.460 OF 2022

AND

C.M.P.NO.8308 OF 2022

S.Subramanian

... Petitioner

.Vs.

Buvaneshwari

... Respondent

PRAYER:-

The memorandum of Transfer Civil Miscellaneous Petition filed under Section 24 of Civil Procedure Code, to withdraw and transfer the petition for divorce in H.M.O.P.No.206 of 2021, pending on the file of the Family Court, Karur, and transfer the same to the Family Court, Namakkal.

For Petitioner : Mr.S.Senthil

ORDER

This petition has been preferred to withdraw and transfer the divorce petition filed by the wife in H.M.O.P.No.206/2021 is pending before the Family Court, Karur and transfer the same to the Family Court, Namakkal.

2. The respondent/wife has preferred a divorce petition in H.M.O.P.No.206/2021 for dissolution of marriage.

3. On perusal of the affidavit, it is seen that the petitioner claimed that the respondent has deserted the petitioner and two children are in the custody of the petitioner. It is further alleged that the respondent is having an affair with someone else and she is not heeding to the advice of well-wishers had come back and rejoin him. So, it is always open to the petitioner to concede to the decree for divorce, if the petitioner feels that it is not possible to resume his family with the respondent.



4. Namakkal is situated just nearby to Karur and there is no valid reason for getting the case withdrawn from the Family Court, Karur and transfer the same to the Family Court, Namakkal as prayed by the petitioner. Under such circumstances, I find no reason for withdrawing the divorce petition filed by the wife at Karur and transfer it to Namakkal.

5. Hence the Transfer Civil Miscellaneous Petition stands dismissed. No Costs. Consequently, connected Civil Miscellaneous Petition in 8308 of 2022 is also closed. It is open to the petitioner to seek leave of the Court to appear through his counsel if he finds it inconvenient to make his personal appearance for any of the hearings.

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

jrs

To

1. The Family Court,
Karur.
2. The Section Officer,
V.R. Section,
Madras High Court,
Chennai.

+1cc to Mr.S.Senthil, Advocate, S.R.No.33518

TR.C.M.P.NO.460 OF 2022 AND
C.M.P.NO.8308 OF 2022

PMK(CO)
PBS/16/06/2022