



Tr. C.M.P.No.540 of 2022 & C.M.P. No.9569 of 2022

WEB COPY IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.10.2022

CORAM

THE HONOURABLE MRS. JUSTICE **R.HEMALATHA**

Tr. C.M.P.No.540 of 2022

&

C.M.P. No.9569 of 2022

V. Aarthi

...Petitioner

Vs.

K. Venkadeshan

... Respondent

Prayer : Transfer Civil Miscellaneous Petition filed under Section 24 CPC praying to withdraw and transfer F.C.O.P. No.79 of 2022 on the file of Family Court, Thiruvannamalai, to be tried along with H.M.O.P. No.84 of 2022 on the file of Family Court, Theni.

For Petitioner : Mr.M. Jaisingh

For respondent : Mr. B. Jawahar

ORDER

The present Transfer Civil Miscellaneous Petition is filed seeking to transfer F.C.O.P. No.79 of 2022 filed by the respondent/husband for dissolution of marriage before the Family Court,



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Thiruvannamalai, to the file of Family Court, Theni, to be tried along with H.M.O.P. No. 84 of 2022 filed by the petitioner.

2. The contention of the petitioner is that since she is a doctor presently posted in a Primary Health Centre, Periyapothu, Aanamalai, Pollachi Taluk, Coimbatore District, she cannot appear before the Family Court, Thiruvannamalai, and therefore, F.C.O.P. No.79 of 2022 on the file of the Family Court, Thiruvannamalai, should be transferred to the file of the Family Court, Theni, to be tried along with H.M.O.P. No. 84 of 2022 filed by her.

3. No serious objections were raised by the counsel for the respondent. However, he would contend that the respondent is working as an Assistant Professor in Arunai Medical College and Hospital, Thiruvannamalai, and that both the cases may be transferred to a court which is convenient to both the petitioner and the respondent. It is seen that the petitioner is in Government service and she would frequently transferred. Therefore, each time HMOP cannot be transferred to suit the



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convenience of the petitioner. However, since she herself has prayed for transfer of F.C.O.P. No.79 of 2022 on the file of the Family Court, Thiruvannamalai, to the file of Family Court, Theni, the transfer civil miscellaneous petition is allowed.

4. Thus, F.C.O.P. No.79 of 2022 is withdrawn from the file of the Family Court, Thiruvannamalai, and transferred to the file of the Family Court, Theni, to be tried along with H.M.O.P. No. 84 of 2022. The learned Family Court Judge, Thiruvannamalai, is directed to send all the records pertaining to F.C.O.P. No.79 of 2022 to the Family Court, Theni, with immediate effect.

5. With the above directions, this Transfer Civil Miscellaneous Petition is allowed. No costs. Consequently connected civil miscellaneous petitions are closed.

12.10.2022

Index: Yes/No
Internet: Yes/No
Speaking/Non-Speaking order
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R. HEMALATHA, J.
bga

To

1. Family Court, Thiruvannamalai
2. Family Court, Theni

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&
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12.10.2022