



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.04.2022

CORAM

THE HONOURABLE Ms. JUSTICE P.T. ASHA

Tr.C.M.P.No.562 of 2021

&

C.M.P.No.14735 of 2021

J.Jenitha

... Petitioner / Respondent

Vs

R.Allwin Malhia

... Respondent / Petitioner

Prayer: Petition is filed under Section 24 of the Code of Civil Procedure to transfer H.M.O.P.No.2697 of 2021 pending on the file of the learned V Additional Family Court, Judge of Chennai and transfer the same to the file of the learned Family Judge of Ooty.

For Petitioner : Mr.K.Thilageswaran

For Respondent : No Appearance

ORDER

The above petition is filed by the petitioner wife seeking transfer of H.M.O.P.No.2697 of 2021, filed by the husband for divorce on the file of the V Additional Family Court, Chennai to the file of the Family Court, Ooty.

2. The petitioner would submit that she has filed a Domestic Violence Case against the husband in D.V.C.No.1 of 2021 and the same is pending on the file of the Judicial Magistrate, Kotagiri, Nilgiri. The petitioner would state that she does not have any financial means to travel all the way from Ooty to Chennai to attend the proceedings in H.M.O.P.No.2697 of 2021, pending on the file of the V Additional Family Court, Chennai. The petitioner would further state that she has to travel more than 500 Kms to attend the hearing. Therefore, she has come forward with the present petition.

3. The respondent though served has not entered appearance.

4. Heard the learned counsel for the petitioner.



5. Considering the fact that the petitioner is residing at Kotagiri, Nilgiri, which falls within the Jurisdiction of the Family Court, Ooty, the Transfer Civil Miscellaneous Petition is allowed and as she cannot be made to travel to Chennai for each hearing H.M.O.P.No.2697 of 2021 is withdrawn from the file of the V Additional Family Court, Chennai and transferred to the file of the Family Court, Ooty. Consequently, connected Civil Miscellaneous Petition is closed. No costs.

Sd/-
Assistant Registrar(CS III)

/True Copy//

Sub Assistant Registrar

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To

1. The V Additional Family Judge,
V Additional Family Court,
Chennai.
2. The Judge,
Family Court, Ooty.

+1cc to Mr.K.Thilageswaran, Advocate, S.R.No.24199

Tr.C.M.P.No.562 of 2021

BR[co]
NSK 06/05/2022