



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.03.2022

CORAM

THE HONOURABLE Ms. JUSTICE P.T.ASHA

Tr.CMP. No.525 of 2021
and
C.M.P.No.14034 of 2021

Lokeswari ... Petitioner/Respondent

-Vs-

S.Mahesh Babu ... Respondent/Petitioner

PRAYER: Petition filed under Section 24 of the Code of Civil Procedure, to withdraw H.M.O.P.No.634 of 2021 on the file of the learned Judge, Family Court, Coimbatore and transfer the same to the file of the learned Judge, Family Court, Thiruvallur.

For Petitioner : Mr.A.R. Suresh

ORDER

The wife has filed this Transfer Civil Miscellaneous Petition, seeking to transfer the H.M.O.P.No. 634 of 2021 filed by the husband for restitution of conjugal rights pending on the file of the learned Judge, Family Court, Coimbatore, to the file of the learned Judge, Family Court, Thiruvallur.

2.The reasons given by the petitioner/wife for seeking the transfer are as follows:

a) The petitioner is residing at Thiruvallur along with her minor son.

b) Since the matter is pending before the learned Judge, Family Court, Coimbatore, she has to appear for every hearing before the Court and when she has to travel to Coimbatore, she has not only to carry her minor son but also have somebody accompanying her to Coimbatore for the hearing.

3.The respondent who has been served with the notice has not chosen to appear either in person or through a pleader.



4.A perusal of the records would show that the matter is now pending before the learned Judge, Family Court, Coimbatore, where the presence of the parties are mandatory. The petitioner is residing at Thiruvallur, in her parental home and it is not possible for her to travel alone to Coimbatore and she would have to take the assistance of another person to come over to Coimbatore.

5.In the above circumstanes, the Transfer Civil Miscellaneous Petition is therefore allowed and the H.M.O.P.No. 634 of 2021, pending on the file of the learned Judge, Family Court, Coimbatore, is withdrawn and transfered to the file of the learned Judge, Family Court, Thiruvallur. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

mps

To

1. The Judge,
Family Court,
Coimbatore.
2. The Judge,
Family Court,
Thiruvallur.

+1cc to Mr.A.R. Suresh, Advocate, S.R.No.15401

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NSK 11/04/2022