



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.04.2022

CORAM

THE HONOURABLE MS.JUSTICE P.T.ASHA

TR.C.M.P.NO.673 OF 2021

AND

C.M.P.NO.16902 OF 2021

K.Rami

... Petitioner

-Vs-

C.Munusamy

... Respondent

PRAYER: Petition filed under Section 24 of the Code of Civil Procedure, to withdraw the petition in H.M.O.P.No.180 of 2015 from the file of the Subordinate Court, Perambalur and transfer the same to the file of the Subordinate Court, Coonoor.

For Petitioner : Mr.S.B.Viswanathan

For Respondent : Mr.T.Seenivasan

ORDER

The Transfer Civil Miscellaneous Petition has been filed by the wife seeking transfer of H.M.O.P.No.180 of 2015 filed by the husband for divorce before the Subordinate Court, Perambalur, to the file of the Subordinate Court, Coonoor.

2.It is informed that H.M.O.P.No.180 of 2015 filed by the husband is at the stage of evidence and at this stage, a transfer will only result in the litigation prolonging. However, if the proceedings are not transferred the petitioner wife would suffer serious prejudice. The petitioner has to travel all the way to Perambalur from Coonoor to adduce evidence. Further, the respondent husband has not complied with the order dated 23.01.2014 in M.C.No.1 of 2013 whereby he was directed to pay a monthly maintenance of Rs.2,000/-. Therefore, the petitioner's request for transfer has to be ordered.



However, since the matter is at this advanced stage directions are issued for its early disposal. The respondent/husband is directed to give an advance copy of his proof affidavit to the petitioner and on the date fixed for the cross examination the petitioner shall positively complete the evidence on the same day.

Accordingly, this Transfer Civil Miscellaneous Petition is allowed with the above direction. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar(CS-III)

//True Copy//

Sub Assistant Registrar

mps

To

1. The Subordinate Judge,
Perambalur.
2. The Subordinate Judge,
Coonoor.

+1cc to Mr.T.Seenivasan, Advocate, S.R.No.25047

+1cc to M/s.S.B.Viswanathan, Advocate, S.R.No.25231

Tr.C.M.P.No.673 of 2021
and
C.M.P.No.16902 of 2021

GPL(CO)
RLP(10/06/2022)