

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.670 of 2021

&

C.M.P.No.16789 of 2021

P.Niveditha

...Petitioner

Vs

S.Santhosh Kumar

...Respondent

Prayer: Petition is filed under Section 24 of the Code of Civil Procedure Code to transfer H.M.O.P.No.5334 of 2019 pending on the file of the VII Additional Family Court, Chennai to the Family Court, Erode.

For Petitioner : Mr.M.Dinesh

For Respondent : Mr.P.R.Krishnaraj

ORDER

The above petition is filed by the wife seeking transfer of H.M.O.P.No.5334 of 2019, filed by her on the file of the VII Additional Family Court, Chennai to the file of the Family Court, Erode.

2. The petitioner would state that she has filed H.M.O.P.No. 5334 of 2019, on the file of the VII Additional Family Court, Chennai seeking divorce. Thereafter, the petitioner has shifted to Erode and residing with her parents. The petitioner would submit that her parents are unwell and getting treatment for Blood Pressure and Diabetic. She would also submit that it is very difficult for her to spend money for travel to attend the hearing. Therefore, she has come forward seeking transfer of HMOP.

3. It is informed by the learned counsel for the respondent that the minor child is residing with her father at Chennai and the petition in G.W.O.P.No.291 of 2022 filed by the wife seeking Guardianship of the minor child is also pending before the Family Court at Chennai.

4. Considering the fact that the minor child is residing with her father at Chennai and also taking into account the fact

that G.W.O.P.No.291 of 2022 seeking Guardianship of the minor child is pending before the Family Court at Chennai, the Transfer Civil Miscellaneous Petition is dismissed. Consequently, connected Civil Miscellaneous Petition is closed. No costs.

5. However, considering the fact that the petitioner is residing at Erode and also taking into account the difficulties involved in attending the hearing, the presence of the petitioner for all ineffective hearing is dispensed with expect for adducing evidence and for attending counselling.

Sd/-  
Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

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To

1.The VII Additional Family Court,  
Chennai.

2.The Family Court,  
Erode

+lcc to Mr.P.R.Krishnaraj, Advocate, SR.No.24028

Tr.C.M.P.No.670 of 2021

SKM(CO)  
SP/10/05/2022