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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.04.2022

CORAM

THE HONOURABLE Ms. JUSTICE P.T. ASHA

Tr.C.M.P.No.703 of 2021

&

C.M.P.No.17358 of 2021

R.Rekha

... Petitioner

Vs

D.Praveen Kumar

... Respondent

Prayer: Petition is filed under Section 24 of the Code of Civil Procedure Code to withdraw H.M.O.P.No.469 of 2021 from the file of the learned Principal Family Judge, Coimbatore and transfer the same into the learned Subordinate Judge, Gudiyattam in Vellore District.

For Petitioner : Mr.D.A.Sugumar

For Respondent : Ms.W.Camyles Gandhi

ORDER

The transfer petition is filed seeking transfer of H.M.O.P.No.469 of 2021, filed by the husband for divorce, on the file of the Principal Family Court, Coimbatore to the file of the Subordinate Court, Gudiyattam, Vellore.

2. The petitioner wife would submit that she is residing with her parents at Vellore, along with her child. The petitioner would state that the travel from Vellore to Coimbatore takes 12 Hrs of journey. Therefore, it is difficult for her to travel to Coimbatore with her child, to attend the hearings.

3. The learned counsel for the respondent would object to the transfer on the ground that the petitioner's mother is politically influential women and that several complaints have been made against the respondent. To a specific query as to whether any action has been taken on such allegations, the learned counsel for the respondent is unable to provide an answer.



4. Therefore, it is evident that these objections are made only for the sake of making an objection. Hence, the objection does not appear to be genuine.

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5. Considering the fact that the petitioner is residing at Vellore within the Jurisdiction of the Subordinate Court, Gudiyattam in Vellore and also taking into account the fact that she has to take care of her child, this Transfer Civil Miscellaneous Petition is allowed, accordingly, H.M.O.P.No.469 of 2021 pending on the file of the Family Court, Coimbatore is withdrawn and transferred to the file of the Subordinate Court, Gudiyattam. No costs. Consequently, connected Civil Miscellaneous Petition closed.

6. The learned Subordinate Judge, Gudiyattam shall first attempt Mediation between the parties, if the Mediation fails, the learned Subordinate Judge, Gudiyattam shall proceed to hear the petition in H.M.O.P.No.469 of 2021.

Sd/-
Assistant Registrar(CS)

//True Copy//

Sub Assistant Registrar

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To

1.The Family Court Judge, Coimbatore.

2.The Subordinate Judge, Gudiyattam.

COPY TO
The Section Officer,
VR Section,
High Court, Madras-104.

+1cc to Ms.W.Camyles Gandhi, Advocate, S.R.No.22070

+1cc to Mr.D.A.Sugumar, Advocate, S.R.No.23278

Tr.C.M.P.No.703 of 2021

MG(CO)
CT 06/05/2022