



TR.CMP.No.864 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.09.2022

CORAM:

THE HONOURABLE MR.JUSTICE S.SOUNTHAR

TR.CMP.No.864 of 2022

and

C.M.P.No.15003 of 2022

Kabileswari

... Petitioner

VS

V.Balakrishnan

... Respondent

Prayer: Transfer Civil Miscellaneous Petition is filed under Section 151 of Civil Procedure Code, praying to withdraw the divorce petition in H.M.O.P.No.2777 of 2022 pending on the file of the Learned VI Additional Family Judge, Chennai and transfer the same to the Hon'ble Family Court at Mannargudi.

For Petitioner : M/s.M.Govindaraju

For Respondent : M/s.Dass & Viswa Associates
for Mr.T.Arockia Dass



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ORDER

This Transfer Civil Miscellaneous Petition has been filed by the petitioner/wife seeking transfer of petition for divorce filed by respondent/husband in H.M.O.P.No.2777 of 2022, from the Family Court, Chennai to the Family Court, Mannargudi.

2. According to the petitioner, she is residing at Mannargudi along with her parents. As a lady, she finds it very difficult to undertake long travel to Chennai which is 330 km away from her native place to attend the Court hearings. It was further submitted that her mother is a senior citizen and there is no one to accompany her.

3. The learned counsel for the respondent opposed this transfer application on the ground that petitioner met with an road accident and suffered head injury. Due to his medical condition, it would be very difficult to undertake long travel to attend the Court hearings.



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WEB COPY 4. The learned counsel for the petitioner submitted that if the case is transferred to the Sub Court, Mannargudi, the parties may engage the counsel to conduct the case.

5. By taking into consideration of the convenience of the wife and the also the inconvenience raised by the respondent/husband in attending regular hearings before the Family Court, in view of his medical condition, this Court is inclined to transfer the Transfer Civil Miscellaneous Petition to the Sub Court, Mannargudi.

6. Accordingly, this Transfer Civil Miscellaneous Petition is allowed. The petition filed in H.M.O.P.No.2777 of 2022, pending on the file of the Family Court, Chennai is withdrawn and transferred to the Sub Court, Mannargudi. Consequently, connected miscellaneous petition is closed. No costs.

23.09.2022

Index : Yes / No
Speaking Order : Yes / No

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S.SOUNTHAR, J.

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To

1. The Family Court,
Chennai.
2. The Family Court,
Mannargudi.

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