



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 31.01.2022

CORAM:

THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN

TR.C.M.P.NO.868 OF 2021

AND

C.M.P.NO.19448 OF 2021

Swetha

.. Petitioner

Vs.

A.Varun

.. Respondent

PRAYER: Transfer Civil Miscellaneous Petition filed under Section 24 of Code of Civil Procedure, praying to withdraw HMOP.No.1349 of 2021 on the file of the Principal Family Court, Coimbatore and transfer the same to be tried along with M.C.No.6 of 2021 on the file of the Family Court, Karur.

For Petitioner : Mr.P.S.Kothandaram

For Respondent : Mr.V.Sivakumar

#### O R D E R

The wife seeks transfer of HMOP.No.1349 of 2021 on the file of the Principal Family Court, Coimbatore to Family Court, Karur.

2. The said proceeding has been launched by the husband seeking divorce. From the records it is seen that the wife is a resident of Karur. It is also seen that she has already launched maintenance proceeding under Section 125 of the Code of Criminal Procedure before the Family Court, Karur. She would seek transfer on the ground of convenience.

3. Mr.V.Sivakumar, learned counsel appearing for the respondent husband would submit that if the proceedings are transferred to Family Court, Karur, he would be put to inconvenience. He would also submit that he lost his job because of various criminal proceedings launched by the wife.



He would request that the proceedings may be transferred to Sub-Court where his personal appearance is not required for every hearing. As regards the pendency of the maintenance case, the counsel would submit that the trial in the maintenance case will be over in one or two hearings, whereas the HMOP would take a longer time.

4. I see considerable force and reasonableness in the submission of the counsel for the respondent. Considering the convenience of both the parties, HMOP.No.1349 of 2021 is withdrawn from the Family Court, Coimbatore and transferred to the Principal Sub-Court, Karur to be disposed of in accordance with law.

5. Accordingly, this Transfer Civil Miscellaneous Petition is disposed of. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-  
Assistant Registrar(CS-VIII)

//True Copy//

Sub Assistant Registrar

dsa

To

1. The Principal Family Judge,  
Coimbatore.
2. The Principal Subordinate Judge,  
Karur.

+1cc to Mr.P.S.Kothandaram, Advocate, S.R.No.5725

Tr.C.M.P.No.868 of 2021

GPL(CO)  
RLP(11/02/2022)