



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.03.2022

CORAM

THE HONOURABLE MS. JUSTICE P.T.ASHA

Tr.CMP. No.832 of 2021

and

C.M.P.No.19141 of 2021

Abinaya Vaithianathan

...Petitioner/Respondent

Vs

Vignesh Manoharan

...Respondent/Petitioner

PRAYER: Petition filed under Section 24 of the Code of Civil Procedure, to order to withdraw HMOP No.1646 of 2021 on the file of the Addl. Family Court Judge at Coimbatore and to transfer the same from the file of Additional Family Court Judge at Coimbatore to be heard and decided along with HMOP No.4601 of 2021 and GWOP No.4668 of 2021 on the file of the V Addl. Family Court, Chennai and pass further order or other order as this Honble Court.

For Petitioner : Mr.Namasivayam

For Respondent : Mrs.V.Malathy

ORDER

The wife has filed the Transfer Civil Miscellaneous Petition for transferring HMOP No.1646 of 2021 filed by the respondent/ husband on the file of the Family Court, Coimbatore for divorce to the file of the V Additional Family Court, Chennai where the petition filed by the petitioner wife for divorce in H.M.O.P.No.4601 of 2021 as well as for custody of the minor child in GWOP.No.4668 of 2021 is pending.

2. The petitioner would submit that her two petitions are already pending before the Family Court and that apart, since the H.M.O.P. filed by her husband is before a Family Court, she would have to travel all the way from Chennai to Coimbatore, more than 510 kilometers, for every hearing. She would submit that she is having the custody of her baby daughter who is



hardly two years old and the traveling would not only be tedious but would also involve considerable expenditure. The husband has not taken steps to maintain the petitioner/wife or her child. In these circumstances, the petitioner/wife has given compelling reasons for transferring the above Transfer Civil Miscellaneous Petition.

3. In view of the above the, Transfer Civil Miscellaneous Petition is allowed and H.M.O.P. No.1646 of 2021, pending on the file of the Additional Family Court Judge at Coimbatore is withdrawn and transferred to the file of the V Additional Family Court, Chennai to be tried along with H.M.O.P.No.4601 of 2021 & G.W.O.P.No.4668 of 2021. No costs. Consequently, connected Miscellaneous Petition is closed.

s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

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To

- 1.The Additional Family Court Judge at Coimbatore.
- 2.The V Judge, Additional Family Court, Chennai

+1 CC to Mr.S. Namasivayam, Advocate sr 17181.

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SSD(CO)
SP(04/04/2022)