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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.860 OF 2021

&

C.M.P.NO.19384 OF 2021

Jayabharathy

... Petitioner

.Vs.

V.Saravanan

... Respondent

PRAYER:-

Petition is filed under Section 24 of the Code of Civil Procedure Code to transfer H.M.O.P.No.137 of 2021 on the file of the Family Court, Krishnagiri to any other Court which is suitable and having Jurisdiction.

For Petitioner : Mr.V.Balamurugane

For Respondent : Mr.T.S.Baskaran

ORDER

The above petition has been filed by the wife seeking transfer of H.M.O.P.No.137 of 2021, filed by the husband seeking restitution of conjugal rights on the file of the Family Court, Krishnagiri to the file of the Family Court, Cuddalore.

2. The petitioner wife would submit that she is presently living at Cuddalore along with her child. The petitioner would state that she is a Doctor, currently working at Madalapattu Primary Health Center, Cuddalore and she cannot travel frequently to Krishnagiri to attend every hearing. The petitioner would submit that she has to take care of her aged parents and school going child.

3. It is the case of the petitioner that she has filed H.M.O.P.No.143 of 2021, seeking divorce and the same is pending on the file of the Family Court, Cuddalore. The petitioner would



further submit that she has to travel 300 Kms to reach Family Court, Krishnagiri and it is extremely difficult for her to attend every hearing. Therefore, she has come forward with the above petition seeking transfer.

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4. Heard the learned counsels and perused the records.

5. Considering the fact that the petitioner is residing at Cuddalore and also taking into account the difficulties involved in the travel and attending the hearing at the Family Court, Krishnagiri, the Transfer Civil Miscellaneous Petition is allowed. Accordingly, H.M.O.P.No.137 of 2021 pending on the file of the Family Court, Krishnagiri is withdrawn and transferred to the file of the Family Court, Cuddalore to be tried along with H.M.O.P.No.143 of 2021. Consequently, connected Civil Miscellaneous Petition is closed. No costs.

6. However, the presence of the respondent for all ineffective hearing is dispensed with except for adducing evidence and for attending counselling.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

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To

1. The Judge,
The Family Court,
Krishnagiri.
2. The Judge,
The Family Court,
Cuddalore.

+1cc to Mr.V.Balamurugane, Advocate, S.R.No.24422
+1cc to Mr.T.S.Baskaran, Advocate, S.R.No.24210

TR.C.M.P.NO.860 OF 2021

MT(CO)
PBS/13/06/2022