



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.03.2022

CORAM

THE HONOURABLE Ms. JUSTICE P.T. ASHA

Tr.C.M.P.No.912 of 2021

Mrs.Dhamayanthi

... Petitioner

Vs.

M.Manikandan

... Respondent

PRAYER: Transfer Civil Miscellaneous Petition filed under Section 24 of the Civil Procedure Code to withdraw H.M.O.P.No.397 of 2021 pending before the Family Court, Tiruchirapalli and transfer the same to the Subordinate Court, Poonamallee to be tried along with H.M.O.P.No.714 of 2021. [Prayer amended as per order of this Court dated 29.03.2022 in C.M.P.No.5074 of 2022].

For Petitioner : Mr.K.Selvakumar

For Respondent : Mr.S.Rajendar

O R D E R

This Transfer Civil Miscellaneous Petition is filed seeking to withdraw the H.M.O.P.No.397 of 2021 pending on the file of the Family Court, Tiruchirapalli and transfer the same to the Subordinate Court, Poonamallee to be tried along with H.M.O.P.No.714 of 2021.

2. The petitioner and the respondent are residing in Chennai. The respondent/husband has filed the petition for divorce before the Family Court, Tiruchirapalli. The petitioner is living with three year old minor twin girl children in Chennai. The petitioner/wife has expressed her difficulties to travel along with her minor girl children to Tiruchirapalli for every hearing as the matter is pending before the Family Court, Tiruchirapalli, since the respondent/husband has not given any maintenance to her.

3. Heard the learned counsel for the petitioner and the learned counsel for the respondent.



4. Considering the reasons given for the transfer particularly the fact that the husband is not maintaining his wife and his two minor girl children since the matter is pending before the Family Court, Tiruchirapalli which is a long way from Chennai, this Court is inclined to allow this petition.

5. In the light of the above reasons given by the petitioner/wife, this Transfer Civil Miscellaneous Petition is allowed as prayed for and H.M.O.P.No.397 of 2021 pending before the Family Court, Tiruchirapalli is withdrawn and transferred to the file of the Subordinate Court, Poonamallee and to be tried along with H.M.O.P.No.714 of 2021. No Costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

ssn

To

1. The Family Court,
Tiruchirapalli.
2. The Subordinate Court,
Poonamallee.

+1cc to Mr.K.Selvakumar, Advocate, S.R.No.20826

Tr.C.M.P.No.912 of 2021

PL (CO)
UMA (13/06/2022)