



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.04.2022

CORAM

THE HON'BLE Ms.JUSTICE P.T.ASHA

Tr.C.M.P.No.971 of 2021

&

C.M.P.No.21591 of 2021

C.Malathi

... Petitioner / Respondent

Vs

G.Arun

... Respondent / Petitioner

PRAYER: Transfer Civil Miscellaneous Petition is filed under Section 24 of Civil Procedure Code, praying to withdraw the H.M.O.P.No.216 of 2021 on the file of the Learned Family Court Tiruvallur and to transfer the same to Learned Sub-Court, Vaniyambadi, Tirupathur District.

For Petitioner : Mr.G.Vinodhkumar

For Respondent : Served- No appearance

ORDER

The petitioner/wife has filed the above Transfer Civil Miscellaneous Petition seeking to withdraw H.M.O.P.No.216 of 2021 filed by the husband pending on the file of the Family Court, Tiruvallur and transfer the same to the file of the Sub Court, Vaniyambadi, Tirupathur District.

2. The respondent-husband has filed the above H.M.O.P.No.216 of 2021 under Section 13(1) (i-a) of the Hindu Marriage Act on the file of the Family Court, Thiruvallur, for dissolution of marriage held between the petitioner and the respondent on 05.03.2020. The petitioner-wife has also filed a petition for maintenance before the learned Judicial Magistrate, Vaniyambadi, Tirupathur in M.C.No.20 of 2021 and the same is pending.

3. In the affidavit filed in support of the petition, the petitioner-wife has stated that she is residing in Tirupathur along with her aged parents. It would be difficult for her to travel more than 200 kilometers up and down to attend the hearings at Tiruvallur. Further, she has to travel in bus for about 5 hours for every hearing. Moreover, the respondent-



husband and his relatives are threatening her, since it is his native place. Hence, she sought for transfer.

4. Heard the learned counsel for the petitioner and perused the materials available on record. The respondent has not appeared in person either through counsel or in person despite service of notice.

5. Taking into consideration the facts and circumstances of the case and looking into the grievance expressed by the petitioner-wife, this Tr.C.M.P is allowed and H.M.O.P.No.216 of 2021 pending on the file of the Family Court, Tiruvallur shall stand withdrawn and transferred to the file of Subordinate Court, Vaniyambadi, Tirupathur. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

srn

To

1. The Judge,
Family Court, Tiruvallur.
2. The Subordinate Judge,
Vaniyambadi, Tirupathur District.
3. The Section Officer,
V.R.Section, High Court, Madras.

+1cc to Mr.G.Vinodhkumar, Advocate, S.R.No.26280

Tr.C.M.P.No.971 of 2021
&
C.M.P.No.21591 of 2021

SJ[co]
NSK 29/04/2022