



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.03.2022

CORAM

THE HONOURABLE Ms. JUSTICE P.T. ASHA

Tr.C.M.P.No.928 of 2021

&

C.M.P.No.20797 of 2021

S.Aarthi

...Petitioner

Vs

B.Krishnakumar

... Respondent

Prayer: Transfer Civil Miscellaneous Petition is filed under Section 24 of the Code of Civil Procedure to withdraw H.M.O.P.No.312 of 2021 on the file of the Family Court, Cuddalore and to transfer the same to the Family Court, Chennai.

For Petitioner : Mr.A.Saravanan

For Respondent : Mr.V.Balamurugane

ORDER

The above petition is filed by the wife seeking transfer of H.M.O.P.No.312 of 2021 filed by the husband on the file of the Family Court, Cuddalore seeking divorce to the file of the Family Court, Chennai.

2. The petitioner would state that she is residing at Chennai with her parents and the husband has not taken any steps to maintain her and on the contrary has been demanding money from her father. The petitioner would also state that she has been informed that the respondent is not in the Country and that he is working abroad. Since the matter is pending before the Family Court, Cuddalore, the petitioner has to be present for all hearings and this in the present condition, where she is not having any income of her own and is depending on her mother and sister is causing financial strain on her sister, who is the sole bread winner and is working in a private concern.

3. The petitioner would also submit that she has to travel to Cuddalore for every hearing and she would have to take someone along with her and it is not possible for her to travel alone. Therefore, she would seek to have the matter transferred



to the file of the Family Court, Chennai.

4. The respondent who has entered appearance through counsel do not have very serious objection to the petition except for stating that the Court should first attempt mediation as there is a likelihood of settlement any which way.

5. Taking into account the submission of the learned counsel for the respondent, the Transfer Civil Miscellaneous Petition is allowed and H.M.O.P.No.312 of 2021 pending on the file of the Family Court, Cuddalore is withdrawn and transferred to the file of the Family Court, Chennai. Consequently, connected Civil Miscellaneous Petition is closed. No costs.

6. The Principal Family Court Judge, Chennai shall allocate the matter to the concerned Court and on such allocation being made, the learned Judge before whom the matter is posted shall first endeavour to bring about settlement through mediation between the parties, failing which, H.M.O.P.No.312 of 2021 can be proceeded with in the manner known to law.

Sd/-

Assistant Registrar(CO)

//True copy//

Sub Assistant Registrar

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To

1.The Family Court, Cuddalore.

2.The Family Court, Chennai.

+1cc to Mr.A.Saravanan, Advocate SR.No.16126

+1cc to Mr.V.Balamurugane, Advocate SR.No.16770

Tr.C.M.P.No.928 of 2021

MT(CO)

GMV(21/03/2022)