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Tr.CMP.No.216 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.03.2023

CORAM:

THE HONOURABLE MRS.JUSTICE **T.V.THAMILSELVI**

Tr.CMP.No.216 of 2023
and CMP.No.4767 of 2023

Sagunthala

... Petitioner

Vs.

R.Kumar

... Respondent

PRAYER: Transfer Civil Miscellaneous Petition is filed under Section 24 of CPC to withdraw the HMOP.No.1981 of 2022 on the file of the Family Court at Coimbatore and to transfer the same to the Subordinate Court of Pollachi.

For Petitioner : M/s.A.Rajeswari

For Respondent : No appearance

ORDER

This petition has been filed to withdraw the HMOP.No.1981 of 2022 on the file of the Family Court at Coimbatore and to transfer the same to the Subordinate Court of Pollachi.



Tr.CMP.No.216 of 2023

2. Though private notice was served, no representation for the respondent.

3. The petitioner herein is the wife of the respondent. The husband filed HMOP No.1981 of 2022 before the Family Court, Coimbatore praying for divorce. However, the petitioner is living with two children at her parents' house and she wants to transfer the matter since because she is living with two children at Sethumadai, Topslip Post, Pollachi. The reason assigned by her is that she is living without any source of income along with two children. Therefore, it is justifiable to transfer the matter to Sub Court, Pollachi.

4. Accordingly, HMOP No.1981 of 2022 pending on the file of the Family Court at Coimbatore is withdrawn and transferred to the file of the Subordinate Court of Pollachi. Furthermore, the respondent herein is working as Watcher in Forest Department and he is drawing a decent salary, but till date he is not paying any interim maintenance to the wife and the children. Therefore, during the transfer proceedings also, this Court is inclined to order for interim maintenance since because the wife has no source of income.



Tr.CMP.No.216 of 2023

5. Taking into consideration of the fact that the respondent is having permanent job and working as Watcher in the Forest Department, he is directed to pay Rs.12,000/- (Rupees Twelve Thousand only) per month as interim maintenance to the wife and the children at the first week of every English calendar month until it is modified by any court of law. The said amount of Rs.12,000/- is directed to be paid directly to the bank account of the petitioner herein either by the respondent or by his higher official.

6. With the above directions, this Tr.CMP stands allowed. Consequently, connected miscellaneous petition is closed. There shall be no order as to costs.

14.03.2023

Index : Yes/No
Internet : Yes/No
Speaking order/non-speaking order
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Tr.CMP.No.216 of 2023

T.V.THAMILSELVI, J.

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To

- 1.Family Court at Coimbatore
- 2.The Subordinate Court of Pollachi
- 3.District Forest Officer,
Vadakovai,
Mettupalayam Road,
Coimbatore District

Tr.CMP.No.216 of 2023

14.03.2023