



Tr.C.M.P.No.868 of 2023
and CMP.No.20618 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.12.2023

CORAM:

THE HON'BLE MRS.JUSTICE T.V.THAMILSELVI

Tr.C.M.P.No.868 of 2023
and
CMP.No.20618 of 2023

B.Priya Krishnan

... Petitioner

Vs.

S. Mohan Raj

... Respondent

PRAYER: Transfer Civil Miscellaneous Petition filed under Section 24 of C.P.C., praying to withdraw the case H.M.O.P.No. 69 of 2023 pending on the file of the Subordinate Judge at Melur and transfer the same to the Family Court at Coimbatore.

For Petitioner : M. Vishnu

For Respondent : Mr.A. Prasanna Rajadurai

ORDER

The petitioner/wife seeks transfer of H.M.O.P.No.69 of 2023 pending on the file of the Subordinate Court, Melur to the Family Court,



Tr.C.M.P.No.868 of 2023
and CMP.No.20618 of 2023

Coimbatore. The petitioner /wife seeks transfer of the proceedings on the file of the Family Court, Coimbatore on the ground that she is living at Coimbatore in her parental home with female baby and she is not able to attend the court hearings by travelling 230 kms from Melur to Coimbatore.

2. The learned counsel for the petitioner submitted that, the marriage between the respondent and the petitioner was solemnized on 22.01.2018 as per Hindu rites and customs. Due to matrimonial dispute the respondent had filed a H.M.O.P.No.69 of 2023 for divorce, which is pending on the file of the Sub Court, Melur. Now the petitioner is residing at Coimbatore with her child in her parental home without any source of income. Hence, she prays to transfer the HMOP.No.69 of 2023 to the file of the Family Court, Coimbatore.

3. Considering the facts and circumstances and the reason assigned by the petitioner is justifiable, this Court is inclined to transfer the HMOP.No.69 of 2023 to the Family Court, Coimbatore.



Tr.C.M.P.No.868 of 2023
and CMP.No.20618 of 2023

WEB COPY

4. In view of the above, HMOP.No.69 of 2023 is withdrawn from the file of the Sub Court, Melur and transferred to the file of the Family Court, Coimbatore. The learned Subordinate Judge, Melur is directed to send entire records to the learned Family Judge, Coimbatore, within a period of two weeks from the date of receipt of a copy of this order.

5. Accordingly, this Transfer Civil Miscellaneous Petition is allowed. No costs. Consequently, connected miscellaneous petition is closed.

6. However, the learned Family Judge, Coimbatore, is directed to issue notice to the respondent and dispose of the case as early as possible in the manner known to law.

22.12.2023

Index : Yes / No

Neutral Citation: Yes / No

Speaking/Non-speaking order

rri

3/4



WEB COPY



Tr.C.M.P.No.868 of 2023
and CMP.No.20618 of 2023

T.V.THAMILSELVI, J.

rri

To

- 1.The Subordinate Judge, Melur.
2. The Family Judge, Coimbatore.
3. The Section Officer, VR-Section,
High Court of Madras.

Tr.C.M.P.No.868 of 2023
and
CMP.No.20618 of 2023

22.12.2023