



WEB COPY



TR.CMP.No.104 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.07.2024

CORAM:

THE HONOURABLE Mr.JUSTICE V.LAKSHMINARAYANAN

TR.CMP.No.104 of 2023
and CMP.No.2206 of 2023

E.Suganya

... Petitioner

Vs

T.Harshavardhanan

... Respondent

Prayer : Transfer Civil Miscellaneous Petition filed under Section 24 of the Civil Procedure Code praying to withdraw and transfer O.P.No.74 of 2020 which is pending on the file of the learned Principal Subordinate Court at Tiruchirapalli District, to be tried before the Family Court, Coimbatore District.

For Petitioner : Mr.P.Saravanan
For Respondent : No Appearance

ORDER

The petitioner-wife has presented this petition to withdraw the petition filed by the respondent-husband in O.P.No.74 of 2020 before the Principal Subordinate Court, Tiruchirapalli District and transfer it to be tried before the



TR.CMP.No.104 of 2023

Family Court, Coimbatore District.

WEB COPY

2. The petitioner and the respondent married on 29.05.2017. They set up their matrimonial home at Dindigul and thereafter, shifted to a rented house at Saibaba Colony, Coimbatore. The petitioner had been employed at Coimbatore even before her marriage. Due to disputes and differences that arose between them, the petitioner and the respondent got separated. The husband had initiated proceedings for divorce in H.M.O.P.No.74 of 2020 before the Principal Sub Court, Tiruchirappalli.

3. Notice to the respondent-husband was ordered in this petition both through Court as well as privately. The notice sent by the petitioner counsel was served on the respondent as early as 11.02.2023 and the Court notice was returned with a postal endorsement 'Not residing now'. The respondent did not chose to appear before the Court either in person or through counsel.

4. The petitioner being a resident of Coimbatore, she pleads that she has to travel overall 500 kms to reach Tiruchirappalli and return to Coimbatore after every hearing. Hence, she has filed this transfer petition.



TR.CMP.No.104 of 2023

WEB COPY

5. Taking into consideration the convenience of the wife, the proceedings in H.M.O.P.No.74 of 2020 pending on the file of Principal Sub Court, Tiruchirapalli is withdrawn from its file and transferred to Family Court, Coimbatore. The Family Court, Coimbatore is requested not to direct the respondent-husband to appear on every hearing, and for non-essential and procedural hearing, he may be represented through a counsel. He may be called upon to appear in person, only when his appearance is indispensable and essential.

6. With the above directions, this transfer petition is allowed. No costs. Consequently, connected miscellaneous petition is closed.

15.07.2024

Index: Yes/No
Neutral Citation : Yes / No
ds



WEB COPY



TR.CMP.No.104 of 2023

V.LAKSHMINARAYANAN,J.

ds

To:

- 1.The Principal Sub Court
Tiruchirapalli.
- 2.The Family Court
Coimbatore.
- 3.The Section Officer
VR Section, High Court, Madras.

TR.CMP.No.104 of 2023

15.07.2024