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Tr.C.M.P.No.386 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.06.2024

Coram

THE HON'BLE MR JUSTICE V. LAKSHMINARAYANAN

Tr.C.M.P.No.386 of 2023 &
C.M.P.No.8408 of 2023

G.Kohila

... Petitioner

-Versus-

R.Santhana Prasad

... Respondent

Transfer Civil Miscellaneous Petition filed under Section 24 of the Code of Civil Procedure to withdraw the HMOP.No. 389 of 2023 on the file of Principal Family Court, Coimbatore and transfer the same to the file of the Family Court, Tuticorin.

For Petitioner : *Mr.K.S.Beena Unni*

For Respondent : *Mr.M.Vijayamehanath*

ORDER

The petitioner is the wife. She has moved this application for transfer of HMOP.No.389 of 2023 from the file of the Principal Family Court at Coimbatore to the file of the Family Court at Thoothukudi.



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2. According to the petitioner/wife, the distance from Thoothukudi to Coimbatore is around 400 km. She states that she has a child who is about 2½ years old and she finds it impossible to travel along with the child for every hearing to Coimbatore. She pleads that she is currently residing in Thoothukudi.

3. Notice was issued in this application on 19.04.2023 and Mr.M.Vijayamehanath entered appearance for the respondent/husband.

4. Learned counsel appearing for the respondent/husband states that he has no objection for the transfer petition being allowed.

5. Taking into consideration the fact that the petitioner is residing in Thoothukudi, which is a considerable distance from Coimbatore and also the fact that she is taking care of 2½ years old child, I am inclined to accept the transfer petition.



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6. Accordingly, HMOP.No.389 of 2023 pending on the file of the Principal Family Court, Coimbatore is withdrawn and is transferred to the file of the Family Court at Thoothukudi. It is made clear that the Family Court at Thoothukudi need not insist upon the respondent to appear for every hearing except the essential hearing. For non-essential or procedural hearings, he may be represented through a counsel.

7. With the above direction, this transfer civil miscellaneous petition is allowed. No costs. Consequently, the connected miscellaneous petition is closed.

03.06.2024

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Index : yes / no
Neutral Citation : yes / no
Speaking / Non Speaking Order



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- 1.The Principal Family Court, Coimbatore
- 2.The Family Court at Thoothukudi



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V.LAKSHMINARAYANAN, J.

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