



Tr Cmp.No.400 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.03.2024

CORAM

THE HONOURABLE MR.JUSTICE V.SIVAGNANAM

Tr CMP.No.400 of 2023

and

CMP.No.8787 of 2023

U. Sudha

...

Petitioner

/vs/

Padmanabhan

...

Respondent

PRAYER : This Transfer Civil Miscellaneous Petition has been filed under Section 24 of Civil Procedure Code to withdraw the HMOP No.2033 of 2022 pending on the file of Principal Family Court, Coimbatore and transfer the same to the Family Court at Chennai.

For Petitioner

...

Mr. P.R.Balasubramanian

For Respondent

...

Mr. Y. Kajanavas



Tr Cmp.No.400 of 2023

WEB COPY

ORDER

This Transfer Civil Miscellaneous Petition has been filed to withdraw and transfer the case in H.M.O.P.No.2033 of 2022 from the file of Principal Family Court, Coimbatore to the file of the III Additional Family Court, Chennai and try jointly with H.M.O.P.No.1054 of 2023.

2.The learned counsel appearing for the petitioner submitted that the petitioner is wife and the respondent is husband. They have one male child, Harshavarathan, and one female child, Yakshatra. Due to misunderstanding between them, they separated. After separation, the petitioner is residing in her parents house along with two children at Chennai and the children are studying in Chennai. The distance between Chennai and Coimbatore is 510 k.ms., and the travelling time is 13 hours for up and down. It is much hard to the petitioner to travel along with her children. Apart from that, she is also not financially stable enough to travel from Chennai to Coimbatore for hearing before the Principal Judge, Family Court, Coimbatore. Hence, she prays to transfer the case in H.M.O.P.No.2033 of 2022 from the file of the Principal Family Court,



Tr Cmp.No.400 of 2023

Coimbatore to the file of the III Additional Family Court, Chennai and to be tried jointly with H.M.O.P.No.1054 of 2023 and prayed to allow the transfer civil miscellaneous petition.

3. Heard both sides and perused the materials available on records carefully.

4. Considering the facts and circumstances and also considering the submission made by the learned counsel for the petitioner, this Court is inclined to transfer the H.M.O.P.No.2033 of 2022 from the file of the Principal Family Court, Coimbatore to the file of III Additional Family Court, Chennai and the H.M.O.P. is directed to be tried jointly with H.M.O.P.No.1054 of 2023.

5. In view of the above, H.M.O.P.No.2033 of 2022 is directed to be withdrawn from the file of the Principal Family Court, Coimbatore and transferred the same to the file of the III Additional Family Court, Chennai and directed to be tried jointly with HMOP No.1054 of 2023. The learned



Tr Cmp.No.400 of 2023

Judge, Principal Family Court, Coimbatore, is hereby directed to send entire records to the III Additional Family Court, Chennai, within a period of two weeks from the date of receipt of a copy of this order and the learned Judge, Family Court, Chennai is directed to issue notice to the respondent and dispose of the cases as early as possible. The respondent is directed to appear before the trial Court as directed by it whenever his presence is necessary.

6. In the result, this Transfer Civil Miscellaneous Petition is allowed.

No costs. Consequently, the connected miscellaneous petition is closed.

Index : Yes/No
Internet : Yes/No
mrp

04.03.2024

Note : Issue order copy on 12.06.2024

To

1.The Principal Judge, Family Court,
Coimbatore.

2.The III Additional Family Court,
Chennai.



WEB COPY



Tr Cmp.No.400 of 2023

V.SIVAGNANAM ,J.

mrp

Tr CMP.No.400 of 2023
and
CMP.No.8787 of 2023

04.03.2024