



Tr.C.M.P.No.433 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.04.2024

CORAM :

THE HONOURABLE MR.JUSTICE V.LAKSHMINARAYANAN

Tr.C.M.P.No.433 of 2023

and

C.M.P.No.9601 of 2023

Kiruthika

... Petitioner

Vs.

M.A.Vignesh

... Respondent

Prayer: Transfer Civil Miscellaneous Petition is filed under Section 24 of Civil Procedure Code, 1908, praying to withdraw H.M.O.P.No.526 of 2022 on the file of the II Additional Subordinate Court, Coimbatore and transfer the same to the file of the Family Court, Tiruppur.

For Petitioner : Mr.Balaji Thirumoorthy

For Respondent : No appearance

ORDER

The petitioner and the respondent were married on 06.09.2018 at Tiruppur. From the wedlock, a girl child was born on 11.01.2020 and she



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is aged about four years today. The petitioner/wife and the girl child are residing in Tiruppur. Thereafter, disputes arose between the petitioner and the respondent. The respondent/husband, who is a resident of Coimbatore has initiated the matrimonial proceedings in H.M.O.P.No.526 of 2022 before the II Additional Subordinate Court, Coimbatore.

2. The respondent, though served with notice, has not entered appearance before this Court.

3. The petitioner/wife claims that she is unable to travel from Tiruppur, where she is permanently residing, to Coimbatore as she has to take care of her child.

4. Taking into consideration the difficulties expressed by the petitioner/wife and the fact that she has girl child to attend to, I am inclined to consider this transfer petition. Hence, the proceeding in H.M.O.P.No.526 of 2022 which is now pending on the file of the II Additional Subordinate Court, Coimbatore is withdrawn and it shall stand transferred to the file of the Family Court, Tiruppur. It is made clear that



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the respondent/husband need not appear for every hearing. But he shall appear for the essential hearings. On all other hearings, he may be represented through a counsel.

5. Accordingly, this Transfer Civil Miscellaneous Petition stands allowed. No costs. Connected Civil Miscellaneous Petition is closed.

16.04.2024

Index : Yes/No
Internet : Yes/No
Speaking Order/Non-Speaking Order
Neutral Citation : Yes/No

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To

1.The II Additional Subordinate Court,
Coimbatore.

2.The Family Court,
Tiruppur.



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V. LAKSHMINARAYANAN, J.

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