



Tr Cmp.No.420 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.02.2024

CORAM

THE HONOURABLE MR.JUSTICE V.SIVAGNANAM

Tr CMP.No.420 of 2023

and

CMP.No.9450 of 2023

D.Saranya

... Petitioner

/vs/

S.Karthic Raja

... Respondent

PRAYER : This Transfer Civil Miscellaneous Petition has been filed under Section 24 of Civil Procedure Code to withdraw the HMOP No.37/2023 from the file of Subordinate Judge, Shankaran Kovil and transfer the same to the Family Court, Coimbatore.

For Petitioner ... Mr.J.Franklin

For Respondent ... Notice served. No appearance

ORDER

This Transfer Civil Miscellaneous Petition has been filed to withdraw the HMOP No.37/2023 from the file of Subordinate Judge, Shankaran Kovil and transfer the same to the Family Court, Coimbatore.



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2. The petitioner is wife and the respondent is husband. The respondent herein has filed the above HMOP No.37/2023 seeking divorce. The petitioner is now residing at door No.166, North Vinayagapuram, III Street, Saravanampatti, Coimbatore. The petitioner is under threat of life and upon well grounded reasons, is residing separately from the respondent. In such circumstances, the above proceedings at Shankaran Kovil would cause serious trouble and inconvenience to the petitioner and hence, the present transfer petition has been filed.

3. Despite notice has been served upon the respondent, no representation on behalf of him

4. Considering the nature of the case and also the submissions and the difficulty expressed by the petitioner is justifiable, this Court is inclined to transfer the case, as prayed for in the petition.

5. Accordingly, H.M.O.P.No.37/2023 is hereby directed to be



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withdrawn from the file of the Subordinate Judge, Shankaran Kovil and transferred to the Family Court, Coimbatore. The Subordinate Judge, Shankaran Kovil is directed to send the entire records to the Family Court, Coimbatore, within a period of two weeks from the date of receipt of a copy of this order and on receiving the same, the learned Family Court Judge, Coimbatore is directed to issue notice to both parties and thereafter, dispose of the case on merits, as early as possible.

6. With the above direction, the Transfer Civil Miscellaneous Petition is allowed. No costs. Consequently, the connected miscellaneous petition is closed.

29.02.2024

Index : Yes/No
Internet : Yes/No
mst

To

- 1.The Subordinate Judge, Shankaran Kovil.
- 2.The Family Court, Coimbatore.



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V.SIVAGNANAM ,J.

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