



WEB COPY



TR.CMP.No.509 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.04.2024

CORAM:

THE HONOURABLE Mr.JUSTICE V.LAKSHMINARAYANAN

TR.CMP.No.509 of 2023
and CMP.No.12127 of 2023

S.Hane Hephzibha

... Petitioner

Vs

R.Israel Prawin

... Respondent

Prayer : Transfer Civil Miscellaneous Petition filed under Section 24 of CPC praying to withdraw I.D.O.P. No.124 of 2023 pending on the file of Principal District Judge, Coimbatore and transfer the same to the file of Principal District Judge, Erode.

For Petitioner : Mr.C.E.Pratap

ORDER

The petitioner-wife has presented this petition to withdraw the IDOP.No.124 of 2023 filed before the Principal District Court, Coimbatore,



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by the respondent-husband for divorce, and to transfer it to be heard and disposed of by the Principal District Judge, Erode.

2. Owing to the matrimonial dispute that arose between them, the petitioner-wife, though employed at Coimbatore, had left her job and is now staying with her parents at Erode. The distance between Erode and Coimbatore is about 100 kms. The petitioner pleads her inability to travel this distance and hence, this petition for transfer.

3. Notice was ordered in this petition on 16.06.2023, and the respondent was served on 17.07.2023. In spite of notice being served on the respondent, he neither appeared nor has appointed a counsel to oppose this petition.

4. Taking into consideration the difficulties expressed by the petitioner-wife in attending the proceedings before Principal District Court at Coimbatore, I am inclined to allow this petition. Accordingly, IDOP.No.124 of 2023 is withdrawn from the file of Principal District Court, Coimbatore and is transferred to the file of Principal District Court, Erode. The presence



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of respondent-husband need not be insisted upon by the District Court, Erode for every hearing. His presence is sufficient only on essential hearings, and therefore, on all other non-essential or procedural hearings, he may be represented through his counsel.

5. With the aforesaid directions, this transfer civil miscellaneous petition is allowed. No costs. Consequently, the connected miscellaneous petition is closed.

23.04.2024

Index:Yes/No

Internet:Yes/No

Speaking order/Non-speaking orders

To:

- 1.The Principal District Judge
Coimbatore.
- 2.The Principal District Judge
Erode.
- 3.The Section Officer
VR Section, High Court, Madras.



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V.LAKSHMINARAYANAN,J.

ds

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