



Tr.CMP.No.517 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.07.2024

CORAM

THE HONOURABLE MR.JUSTICE V.LAKSHMINARAYANAN

Tr.CMP.No.517 of 2023

and

C.M.P.No.12256 of 2023

Krishnaveni

.. Petitioner

Vs.

Vishnuprakash

.. Respondent

Prayer : The Transfer Civil Miscellaneous Petition is filed under Section 24 of the Code of Civil Procedure, to withdraw the proceeding in O.P.No.36 of 2023 on the file of the Sub Court at Pollachi and transfer the same to the file of the Family Court at Erode.

For Petitioner : Mr.M.Guruprasad

For Respondent : Served, No Appearance

ORDER

The petitioner is the wife and the respondent is the husband. Their marriage was solemnized on 06.06.2019.

2. Due to disputes and differences, the parties are before the Sub



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Court at Pollachi. The husband has initiated the proceeding in H.M.O.P.No.36 of 2023 seeking divorce under Section 13(1)(ia) of the Hindu Marriage Act.

3. The petitioner/wife states that she is the resident of Vilakethi in Erode District, and the distance from her village to Pollachi is around 110 Kms, and it takes three hours for her to travel. She pleads difficulty to travel from her village to Pollachi, and hence, the present transfer petition.

4. Notice was ordered in the transfer petition on 19.06.2023. Despite service of notice, the husband has not entered appearance through a counsel nor is he present in-person to oppose this application.

5. In the light of the difficulties expressed by the wife, and since the distance of 110 Kms is substantial, I am inclined to allow this transfer petition. Hence, the proceeding in O.P.No.36 of 2023 pending on the file of the learned Subordinate Judge at Pollachi is withdrawn and it shall stand transferred to the file of the learned Family Judge at Erode.



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6. The learned Family Judge at Erode is requested not to insist on the presence of the husband for every hearing, but he shall be directed to be present only for such hearings where his presence is indispensable. On the other hearings, he may be represented through a counsel.

7. Accordingly, the Transfer Civil Miscellaneous Petition stands allowed. No costs. The connected Civil Miscellaneous Petition is closed.

08.07.2024

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Index:Yes/No

Speaking Order :Yes/No

Neutral Citation:Yes/No

V. LAKSHMINARAYANAN, J.



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To

- 1.The learned Subordinate Judge,
Pollachi
- 2.The learned Family Judge,
Erode

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