



Tr.C.M.P.No.970 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.970 of 2023

and

C.M.P.No.23411 of 2023

K.S.Jayarathi Ishwarya

... Petitioner

Vs.

S.Anurag

... Respondent

Prayer: Transfer Civil Miscellaneous Petition is filed under Section 24 of Civil Procedure Code, 1908, praying to withdraw H.M.O.P.No.913 of 2022 pending on the file of the Subordinate Court, Poonamallee and transfer the same to the file of the Principal Family Court, Coimbatore.

For Petitioner : Mr.K.Chandrakumar

For Respondent : M/s.A.Arulmozhi

ORDER

The petitioner and the respondent got married on 08.07.2019 at Coimbatore. There were no children from the marriage. Subsequently,



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due to differences between the parties, the parties had fallen apart and they are before the Subordinate Court, Poonamallee in H.M.O.P.No.913 of 2022.

2. The respondent, who is a resident of Chennai, has initiated the divorce proceeding in H.M.O.P.No.913 of 2022 before the Subordinate Court, Poonamallee.

3. The respondent was served with notice on 12.10.2023, but he has not chosen to oppose this petition.

4. The petitioner claims that she is unable to travel from Coimbatore, where she is permanently residing, to Chennai which are about 510 Kms apart. The petitioner states that her father is in Dubai and therefore, she is without any male assistance. Hence, she seeks transfer of proceedings in H.M.O.P.No.913 of 2022 from the file of the Subordinate Court, Poonamallee to the file of the Principal Family Court, Coimbatore.



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5. Taking into consideration the difficulties expressed by the petitioner, I am inclined to allow this transfer petition. Hence, the proceeding in H.M.O.P.No.913 of 2022 which is now pending on the file of the Subordinate Court, Poonamallee is withdrawn and it shall stand transferred to the file of the Principal Family Court, Coimbatore. It is made clear that the respondent 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.

6. 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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V. LAKSHMINARAYANAN, J.

arb

To

- 1.The Subordinate Court,
Poonamallee.
- 2.The Principal Family Court,
Coimbatore.

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