



Tr.C.M.P.No.1015 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.1015 of 2023

and

C.M.P.No.24464 of 2023

Abirami

... Petitioner

Vs.

V.Satheesh Kumar

... Respondent

Prayer: Transfer Civil Miscellaneous Petition is filed under Section 24 of Civil Procedure Code, 1908, praying to withdraw H.M.O.P.No.106 of 2023 pending on the file of the Subordinate Court, Mettur and transfer the same to the file of the Family Court, Coimbatore.

For Petitioner : Mr.J.Ramakrishnan

For Respondent : Ms.P.Srividhya

ORDER

The petitioner and the respondent got married on 28.08.2020 at Salem District. From the wedlock, a male child was born on 30.06.2021 to the parties. Due to matrimonial differences, the parties had fallen apart and the child is in the custody of the respondent, who is a resident of



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Mettur. The respondent has initiated divorce proceeding in H.M.O.P.No.106 of 2023 before the Subordinate Court, Mettur.

2. The respondent was served with notice on 02.11.2023, but he has not chosen to oppose this petition.

3. The petitioner claims that she is unable to travel from Coimbatore, where she is permanently residing, to Mettur, which are about 150 Kms apart, and hence, seeks transfer of proceedings in H.M.O.P.No.106 of 2023 from the file of the Subordinate Court, Mettur to the file of the Family Court, Coimbatore.

4. Taking into consideration the difficulty expressed by the petitioner, I am inclined to allow this transfer petition. Hence, the proceeding in H.M.O.P.No.106 of 2023 which is now pending on the file of the Subordinate Court, Mettur is withdrawn and it shall stand transferred to the file of the Family Court, Coimbatore, which is closer to the house of the petitioner. It is made clear that the respondent need not appear for every hearing. But he shall appear for the essential hearings.



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On all other hearings, he may be represented through a counsel.

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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 Subordinate Court,
Mettur.

2.The Family Court,
Coimbatore.

V. LAKSHMINARAYANAN, J.



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