



WEB COPY



Tr.CMP.No.1217 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.06.2024

Coram

THE HON'BLE MR JUSTICE V. LAKSHMINARAYANAN

Tr.CMP No.1217 of 2023

and

CMP.No.29017 of 2023

P.Mary Latha

... Petitioner

-Versus-

N.Palanisamy @ Lawrence @ Palanisamy Nanjan

... Respondent

Transfer Civil Miscellaneous Petition filed under Section 24 of C.P.C. seeking to withdraw IDOP.No.220 of 2023 pending on the file of the learned Principal District Judge, Erode and transfer the same to the Family Court, Coimbatore.

For Petitioner : Mr.M.R.Thangavel

ORDER

The petitioner and the respondent married on 11.12.1995 at Coimbatore. From the wedlock, a child was born on 06.07.1997. The petitioner and the child were turned out of their house in 2021 and she is currently residing with her parents in Coimbatore. The respondent/husband, who Mr.Thangavel states is also working in Coimbatore, has initiated proceedings in IDOP.No.220 of 2023 on the file of the learned Principal District Judge at Erode. She depends on her



Tr.CMP.No.1217 of 2023

parents as she is not financially supported by her husband. Pleading her inability to travel, she has moved this transfer petition.

2. Notice was ordered in this transfer petition to the husband and he has been served, but he neither appeared through a counsel nor is he present in person to oppose the application.

3. Taking into consideration the financial and physical inability pleaded by the wife, I am inclined to allow this petition. Accordingly, IDOP.No.220 of 2023 is withdrawn from the file of the Principal District Judge at Erode and is transferred to the file of the Family Court at Coimbatore. Since the husband is working in the Government department, the Family Court at Coimbatore need not insist upon the respondent to appear for every hearing except the essential hearing. For non-essential or procedural hearings, he may be represented through a counsel.

4. With the above direction, this transfer civil miscellaneous petition is allowed. No costs. Consequently, the connected miscellaneous petition is closed.

07.06.2024

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Index : yes / no



Tr.CMP.No.1217 of 2023

Neutral Citation : yes / no
Speaking / Non Speaking Order

To

- 1.The Principal District Judge, Erode
- 2.The Family Court, Coimbatore



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Tr.CMP.No.1217 of 2023

V.LAKSHMINARAYANAN, J.

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Tr.CMP.No.1217 of 2023

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