



Tr.CMP.No.61 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.08.2024

CORAM

THE HONOURABLE MR.JUSTICE M.NIRMAL KUMAR

Tr.CMP.No.61 of 2024

and

C.M.P.No.1443 of 2024

S.Harini

... Petitioner

Vs.

Sundareswaran

... Respondent

PRAYER: Transfer Civil Miscellaneous Petition filed under Section 24 of Civil Procedure Code to withdraw H.M.O.P.No.1847 of 2024 on the file of the Principal Family Court, Coimbatore and transfer the same to the file of the Subordinate Court, Tambaram.

For Petitioner : Mr.K.M.Mohamedziauddin

For Respondent : Mr.T.Jeyaram



Tr.CMP.No.61 of 2024

WEB COPY

ORDER

The petitioner/respondent in H.M.O.P.No.1847 of 2023 on the file of the Principal Family Court, Coimbatore filed this petition seeking transfer of the case from the file of the Principal Family Court, Coimbatore to the file of the Subordinate Court, Tambaram.

2.The learned counsel for the petitioner submitted that marriage between the petitioner and the respondent was solemnized on 03.03.2023 at Shri Ram Ganesh Mahal, RP Nagar, Hastinapuram, Chennai in the presence of elders, relatives and family members. During marriage, 20 sovereigns of gold jewels along with silver and other household articles were presented as sridhana. Right from the date of marriage, the respondent and his family members without any reason started to abuse and harass the petitioner despite the petitioner acted as dutiful wife. During the month of October 2023, the respondent insisted her to go to her parents house stating that he will come for Deepavali Celebration and bring her back to matrimonial home. Believing his words, the petitioner went to her parents house but the respondent failed to visit and take her back. The petitioner is now living



Tr.CMP.No.61 of 2024

with her aged parents and with their support. Though several attempts were made by the petitioner and her family members for reconciliation, the respondent was not willing to cohabitate with the petitioner and the respondent filed a divorce petition in H.M.O.P.No.1847 of 2023 before the Principal Family Court, Coimbatore. The petitioner has to travel alone to appear before the Principal Family Court, Coimbatore since she had aged parents. Hence, she prays for transfer of H.M.O.P.No.1847 of 2023 from the Principal Family Court, Coimbatore to the file of the Subordinate Court, Tambaram.

3.The learned counsel for the respondent filed a counter stating that he has no objection for transferring the proceedings in H.M.O.P.No.1847 of 2023 from the Principal Family Court, Coimbatore but his only request is that instead of Subordinate Court, Tambaram, the case may be transferred to the Family Court, Chennai.

4.The learned counsel for the petitioner has no objection for the request of the respondent to transfer the case in H.M.O.P.No.1847 of 2023 to the Family Court, Chennai, being considered



Tr.CMP.No.61 of 2024

WEB COPY

5.Considering the submissions made and on perusal of the materials, it is seen that with great difficulty, the petitioner has to travel all the way from Chennai to Coimbatore to attend the Court proceedings. Added to it, the respondent has no objection to transfer the divorce proceedings to the Family Court at Chennai, for which the petitioner has no objection. In view of the same, this Court withdraws H.M.O.P.No.1847 of 2023 from the file of the Principal Family Court, Coimbatore and transfer the same to the file of the Family Court, Chennai.

6.Accordingly, the Transfer Civil Miscellaneous Petition is allowed.

No costs. Consequently, connected Civil Miscellaneous Petition is closed.

02.08.2024

Index: Yes/No
Speaking Order: Yes/No
Neutral Citation: Yes/No
cse



WEB COPY



Tr.CMP.No.61 of 2024

To

- 1.The Principal Family Court,
Coimbatore.
- 2.The Family Court,
Chennai.



WEB COPY



Tr.CMP.No.61 of 2024

M.NIRMAL KUMAR, J.

cse

Tr.CMP.No.61 of 2024

02.08.2024