



WEB COPY



Tr.CMP No.1248 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.06.2024

CORAM :

THE HONOURABLE MR.JUSTICE V. LAKSHMINARAYANAN

TR.CMP No.1248 of 2023
and C.M.P.No.29586 of 2023

Mahalakshmi

.... Petitioner

-Vs-

K.Suthanthiram

.... Respondent

Prayer : Transfer Civil Miscellaneous Petition under Section 24 of C.P.C., to withdraw HMOP No.527 of 2023 on the file of the Family Court, Coimbatore to the Principal Family court at Chennai.

For Petitioner : Mr.A.Ramesh
For Respondent : No appearance

ORDER

Petitioner is the wife. Her marriage with the respondent was solemnized on 15.12.2008 at Ponnamaravathi in Pudukkottai District. Both of them set up their matrimonial home at Chennai. From the wedlock, two children were born; A girl child who is aged 15 years today and a boy who is aged 10 years. Due to the differences that have arisen between the parties, they are living separately at Coimbatore and Chennai.



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2. The husband has initiated HMOP No.527 of 2023 seeking for divorce on the ground of cruelty and desertion. He has initiated this proceedings before the Principal Family Court at Coimbatore.

3. The petitioner states that she has two school going children and is not in a position to travel from Chennai to Coimbatore to attend every hearing and she also pleads that the husband is not maintaining the children, and out of her efforts she is managing the family expenses.

4. Notice was ordered in this application on 10.01.2024. Notice was served on the husband, but he has not entered appearance nor has he appeared in person.

5. Therefore, in order to give breathing time to enable him to engage a counsel, I adjourned the matter from 14.06.2024 to 21.06.2024 and thereafter the matter is posted today. Even today, there is no appearance on behalf of the respondent-husband.

6. Taking into consideration the grievance of the petitioner regarding the distance as well as the lack of financial support from her husband, I am inclined to accept the transfer petition. The proceedings in HMOP No.527 of 2023 is withdrawn from the file of the Family Court, Coimbatore and transferred to the Principal Family



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Court at Chennai. It is always open to the respondent-husband to engage a counsel and prosecute the case. The learned Principal Judge, Family Court, Chennai is requested not to insist the appearance of the respondent-husband on every hearing. The husband shall appear for all essential hearings where his presence is indispensable. For the other hearings including procedural matters, he will be represented through a counsel. Accordingly, the Tr.CMP is allowed. No costs. Consequently, connected miscellaneous petition is closed.

25.06.2024

Index : Yes/No

Neutral Citation : Yes/No

KST

To

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



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V. LAKSHMINARAYANAN, J.

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