



Tr.C.M.P.No.350 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.02.2025

CORAM:

THE HONOURABLE MS.JUSTICE P.T.ASHA

Tr.C.M.P.No.350 of 2023

C.M.P.No.7734 of 2023

M.Priyanka

...Petitioner

Vs

N.R.Vinothan

...Respondent

PRAYER : Transfer Civil Miscellaneous Petition filed under 24 of Code of Civil Procedure, pleased to pass an order withdrawing the FCOP.No.1 of 2023 pending on the file of Family Court, Erode and to transfer the same to the file of Subordinate Court, Gudalur.

For Petitioner : Mr.M.Anaimuthuraja

For Respondents : Mr.M.Guruprasad

ORDER

The above transfer civil miscellaneous petition has been filed by the respondent wife seeking to withdraw F.C.O.P.No.1 of 2023 pending on the file of Family Court, Erode, to the file of Subordinate Court, Gudalur.



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WEB COPY 2. Petitioner's reason for requesting the transfer is that she is living in Nilgiri district at Gudalur and since the matter is pending before the Family Court, Erode, her presence is required for every hearing. She would submit that she has a three year old child and therefore, it is very difficult for her to travel all the way to Erode to attend the hearing. However, since she is living in Gudalur, the Sub Court, Gudalur, also has the jurisdiction to entertain the petition for divorce. The respondent on the other hand is living abroad and has given a power of attorney to his mother and therefore does not have the same difficulties which the petitioner is facing. That apart she has also stated that she has not been provided with maintenance and her application for interim maintenance is also pending adjudication.

3. When the matter had come up on 14.02.2024, the Court had directed the Registry to verify as to whether video conferencing facilities were available in the Sub Court at Gudalur. Today it is informed that such a provision is available at the Court therein. Therefore, considering the fact that the petitioner has given sufficient reasons for the transfer, the transfer civil miscellaneous petition. FCOP.No.1 of 2023 stands



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withdrawn from the file of Family Court, Erode, on to the file of Subordinate Court, Gudalur. No costs. Consequently, connected miscellaneous petition is closed.

4.It is made clear that the respondent shall be permitted to appear through vide conferencing. The learned Judge shall factor the time difference between Honkong and India where the respondent is now residing and accordingly fix the time for this matter and the respondent shall appear through video conferencing before the Court.

5.Considering the fact that he is now permitted to appear through video conferencing, it is made clear that the video conferencing facility is available only for the respondent and not for his power agent. The learned Judge shall endeavor to dispose of the maintenance petition at the earliest.

19.02.2025

Index : Yes/No
Internet : Yes/No
Speaking Order/Non Speaking Order
ep



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P.T.ASHA, J,

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To

- 1.The Family Court, Erode and
- 2.The Subordinate Court, Gudalur.

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