

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 9.7.2015

Coram:

THE HONOURABLE MR.JUSTICE N.KIRUBAKARAN

Tr.C.M.P.No.840 of 2014

J.Poonguzhali

.. Petitioner

vs.

M.Jayapandian
s/o.P.Meenakshisundaram
HIG 597, T.N.H.B. near Fire Station
Avadi, Chennai-600 054

(now residing at
180/36, Chennai Flats
Padikuppam Road, Mogappair
near M.M.M. Hospital
Chennai-600 040

.. Respondent

This Transfer C.M.P. has been filed to withdraw the petition in H.M.O.P.No.2403 of 2004 on the file of the 3rd Additional Judge, Family Court, Chennai and transfer the same to the Sub Court, Ariyalur to be tried there.

For Petitioner : Mr.S.Gunalan

For Respondent : Mr.N.P.Kumar

O R D E R

The petitioner/wife has come before this Court seeking to transfer H.M.O.P.No.2403 of 2004 pending on the file of the IIIrd Additional Judge, Family Court, Chennai, to the Sub Court, Ariyalur, within whose jurisdiction the petitioner/wife is residing.

2. Heard Mr.S.Gunalan, the learned counsel appearing for the petitioner and Mr.N.P.Kumar, the learned counsel appearing for the respondent. Both parties have present. In spite of best efforts made by the learned counsels appearing for the respective parties, the matter could not be settled. In view of that, the matter is decided

on merits.

3. Since the petitioner/wife is residing with her son along with her parents, it may not be possible for her to travel above 200 kilometers from Ariyalur to Chennai to appear before the trial Court. In view of that, H.M.O.P. No.2403 of 2004, and M.C.No.557 of 2012, pending on the file of the IIIrd Additional Judge, Family Court, Chennai, are withdrawn and transferred to Sub Court, Ariyalur, for disposal. Since the matter is 11 years old, it is appropriate to direct the Sub Court, Ariyalur, to dispose of the matters on or before 30.9.2015.

The Transfer Civil Miscellaneous Petition is disposed of in the above terms. No costs. Connected M.P.No.1 of 2014 is closed.

-s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

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To:

1. 3rd Additional Judge, Family Court, Chennai
2. The Presiding Officer, Family Court, Ariyalur

+1 cc to Mr.R.Gokulakrishnan Advocate sr.34696

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Tr.C.M.P.No.840 of 2014

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