

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.11.2015

CORAM:

THE HON'BLE MS. JUSTICE R.MALA

Tr.C.M.P.No.844 of 2014

and

M.P.No.1 of 2014

1.P.Manju

2.P.Sasikala

... Petitioners/Petitioners/
Respondents/Respondents

Vs.

E.Muralidaran

... Respondent/Respondent/
Petitioner/Petitioner

Prayer:

Petition has been filed under Section 24 of C.P.C., to withdraw the proceedings in I.A.No.664/2014 in OP.SR.No.1727/2014 pending on the file of the III Additional Judge, Family Court, Chennai and transfer the same to the file of the Subordinate Court, Ranipet.

For Petitioners : Mr.V.Baskaran

For Respondent : Mr.M.Baskaran

O R D E R

Heard the learned counsel appearing for the petitioners and the learned counsel appearing for the respondent.

2. The petitioners have come up with the present transfer petition to transfer the proceedings in I.A.No.664/2014 in OP.SR.No.1727/2014 pending on the file of the III Additional Judge, Family Court, Chennai to the file of the Subordinate Court, Ranipet. It is the case of the petitioner that the respondent/husband has filed application for nullity of marriage on the ground that the first petitioner/wife is insane and that factum was not disclosed to him at the time of marriage. He has also filed an application for appointment of a Guardian for his wife and that application is pending.

3. The learned counsel for the petitioners would submit that the second petitioner who is none other than the mother of the first petitioner is aged about 54 years and is

suffering from severe arthritis, thyroid and low blood pressure and so, she is unable to travel to chennai to attend the proceedings. Hence, the petitioners are forced to file the present transfer application to transfer the proceedings in I.A.No.664/2014 in OP.SR.No.1727/2014 pending on the file of the III Additional Judge, Family Court, Chennai to the file of the Subordinate Court, Ranipet.

4. On the other hand, the learned counsel for the respondent fairly conceded to transfer the matter as prayed for. However, the learned counsel sought for an earlier disposal of the proceedings.

5. Recording the no objection made by the learned counsel for the respondent, the proceedings in I.A.No.664/2014 in OP.SR.No.1727/2014 pending on the file of the III Additional Judge, Family Court, Chennai is withdrawn and transferred to the file of the Subordinate Court, Ranipet.

6. The III Additional Judge, Family Court, Chennai is directed to transmit all the records pertaining to I.A.No.664/2014 in OP.SR.No.1727/2014 to the file of the Subordinate Court, Ranipet within a period of two weeks from the date of receipt of a copy of this order and the learned Subordinate Judge, Ranipet is directed to dispose of the proceedings in I.A.No.664/2014 in OP.SR.No.1727/2014 within a period of three months thereafter.

7. The Transfer Civil Miscellaneous Petition is disposed of accordingly. Consequently, connected miscellaneous petition is closed. No costs.

Sd/-

Asst.Registrar (CS III)

/true copy/

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Sub Asst. Registrar

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To

1.The III Additional Judge,
Family Court, Chennai

2.The Subordinate Judge, Ranipet

+ 1 cc to M/s.M.Baskaran, Advocate, Sr.63555 (25/2/16)

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rsk co, kra 16.12.2015