



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.11.2015

CORAM :

THE HONOURABLE MS.JUSTICE R.MALA

Tr.C.M.P.No.44 of 2015

and

M.P.No.1 of 2015

R.Vasanthi

.. Petitioner/Respondent

Vs

R.Sathish Babu

.. Respondent/Petitioner

Prayer:Civil Revision Petition filed under Section 24 of the Civil Procedure Code, 1908 to withdraw the case in H.M.O.P.No.1868 of 2014 on the file of the Principal Family Court, Chennai and to transfer the same to the Sub Court, Gudiyatham, Vellore District.

For Petitioner : Mr.D.Rajagopal

For Respondent : No appearance

O R D E R

This petition has been filed to withdraw the case in H.M.O.P.No.1868 of 2014 on the file of the Principal Family Court, Chennai and to transfer the same to the Sub Court, Gudiyatham, Vellore District.

2.Learned counsel for the petitioner/wife submitted that the respondent/husband has filed a petition in H.M.O.P.No.1868 of 2014 for divorce on the ground of cruelty, before the Family Court, Chennai. It is further submitted that the petitioner/wife is residing in Gudiyatham, Vellore District along with her daughter, who is now 3½ years old. He further submitted that the distance between Chennai and Gudiyatham is nearly 200 kms and hence, it is difficult for her to travel from Gudiyatham to Chennai to attend each and every hearing. Therefore, she prays that the case may be transferred from the Family Court, Chennai to the file of the Sub Court, Gudiyatham, Vellore District.

3.Even though the respondent was served, no one represented the respondent for several hearings. Hence, the petitioner's arguments was heard and the matter was posted today (20.11.2015)



under the caption 'for orders'. Even today, there is no representation on behalf of the respondent.

4.Considering the argument advanced by the learned counsel for the petitioner, since the petitioner is having 3½ years old female child, I am inclined to order transfer, by applying the guidelines laid down in 2000 (2) T.L.N.J.158 (Sudha v. Vaidyanathan),. Accordingly, the petition in H.M.O.P.No.1868 of 2014 is ordered to be withdrawn from the file of the Family Court, Chennai and transferred to the file of the Sub Court, Gudiyatham, for disposal in accordance with law. The Presiding Officer, Family Court, Chennai, is directed to transmit all the records pertaining to H.M.O.P.No.1868 of 2014 to the Sub Court, Gudiyatham, within a period of fifteen days from the date of receipt of a copy of this order.

5.Accordingly, this Transfer Civil Miscellaneous petition is ordered. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

cse

To

- 1.The Principal Family Court, Chennai.
- 2.The Sub Court, Gudiyatham, Vellore District.

+ 1 cc to Mr.D. Rajagopal, Advocate SR.63057

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PUR(CO)

EU 08.12.15