

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.01.2016

CORAM :

THE HONOURABLE MS. JUSTICE R.MALA

Tr.C.M.P.No.838 of 2014
and M.P.No.1 of 2014

S.Soundari ... Petitioner

Vs.

T.Mahendran ... Respondent

Prayer:- Petition filed under Section 24 of C.P.C., praying to withdraw and transfer O.P.No.3807 of 2013 on the file of III Additional Family Court, Chennai to Subordinate Judge (Family Court), Arakkonam, Vellore District.

For Petitioner : Mr.M.Mohamed Hasain

For respondent : No appearance

O R D E R

Heard the arguments of the learned counsel appearing for the petitioner.

2. The respondent/husband filed H.M.O.P.No.3807 of 2013 on the file of Family Court, Chennai seeking divorce. Now, this Tr.C.M.P., has been filed by the wife seeking to withdraw and transfer H.M.O.P.No.3807 of 2013 pending on the file of III Additional Family Court, Chennai to Sub Court, Arakkonam, stating that she is now residing with her father and he is a coolly worker and as such she is unable to spend huge amount for travel to attend hearings at Chennai.

3. Even though the respondent/husband has been served and his name printed in the cause list on 06.01.2016, there was no representation for the respondent on that day and hence, the matter is posted today under the caption 'for orders'. Even today, none appears for the respondent/husband.

4. Considering the arguments put forth by the learned counsel appearing for the petitioner and on perusal of the typed set of papers, this Court deems it fit to order withdrawal of H.M.O.P.No.3807 of 2013 pending on the file of III Additional Family Court, Chennai and transfer it to the file of Sub Court, Arakkonam to dispose of the same in accordance with law.

5. Accordingly, H.M.O.P.No.3807 of 2013 is ordered to be withdrawn from the file of the III Additional Family Court, Chennai and transferred to the file of the Sub Court, Arakkonam for disposal in accordance with law. The III Additional Family Court Judge, Chennai, is directed to transmit the records pertaining to H.M.O.P.No.3807 of 2013 to the file of the Sub Court, Arakkonam, within a period of 15 days from the date of receipt of a copy of this order. On receipt of the material papers, the Subordinate Judge, Arakkonam, is directed to dispose of the matter within three months from that date.

6. In the result, this Transfer Civil Miscellaneous Petition is ordered. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

nvsri

To

1.The III Addl.Family Court, Chennai.

2. The Subordinate Judge, Arakkonam,

+1 cc to Mr.M.Mohamed Hasain, Advocate, sr.921

Tr.C.M.P.No.838 of 2014

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kra 25.01.2016

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