

THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.02.2016

CORAM

THE HONOURABLE Mr. JUSTICE P.R.SHIVAKUMAR

Tr.C.M.P.No.714 of 2015

&

M.P.No.1 of 2015

Mrs.P.Subatra Devi,
W/o.Mr.T.Prabakaran
Flat No.C, No.946, New No.10,
69th Street, 11th Sector,
K.K.Nagar,
Chennai - 78

... Petitioner

Vs.

T.Prabakaran
S/o.Thangappa,
No.9, Krishna Nagar,
Aaladi Road,
Virudhachalam,
Cuddalore District

... Respondent

Transfer Civil Miscellaneous Petition filed under Section 24 of Civil Procedure Code praying to withdraw H.M.O.P.No.105 of 2015 from the file of the Principal Subordinate Court, Virudhachalam and transfer it to the file of Family Court, Chennai for being tried along with O.P.No.3355 of 2015.

For Petitioner : Mr.R.Srinivas

O R D E R

This transfer Civil Miscellaneous Petition has been filed by the wife of the respondent for transferring H.M.O.P.No.105 of 2015

pending on the file of Principal Sub Court, Virudhachalam to the Principal Judge, Family Court, Chennai on the ground that the petitioner herein resides within the jurisdiction of the said Court and that she will experience much hardship, if she travels from Chennai to Virudhachalam to contest the case filed by her husband in H.M.O.P.No.105 of 2015.

3. Though the respondent was served with notice privately with the permission of this Court and his name has been printed in the cause list, he has not chosen to enter appearance either in person or through Counsel.

4. Considering the reasons assigned by the petitioner for seeking transfer of the case from the Principal Sub Court, Virudhachalam to the Principal Judge, Family Court, Chennai and the fact that the respondent has not chosen to appear to refute the claim, this Court deems it appropriate to allow the transfer Civil Miscellaneous Petition.

5. Accordingly, the Transfer Civil Miscellaneous Petition is allowed. H.M.O.P.No.105 of 2015 pending on the file of Principal Sub Court, Virudhachalam is withdrawn and transferred to the file of Principal Judge, Family Court, Chennai. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(VI)

//True Copy//

Sub Assistant Registrar

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To

1. The Subordinate Court, Virudhachalam
 2. The Principal Judge, Family Court, Chennai
- + 1 cc to Mr.R. Srinivas, Advocate Sr.11397

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