

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.01.2016

CORAM :

THE HONOURABLE MS.JUSTICE R.MALA

Tr.C.M.P.No.808 of 2015

and M.P.No.1 of 2015

S.Rohini

.. Petitioner

Vs.

S.Sevugaperumal

.. Respondent

Prayer :- Petition is filed under Section 24 of C.P.C., to withdraw and transfer the petition for divorce H.M.O.P.No.125 of 2013 filed by the respondent pending on the file of the Sub Court, Sivagangai District to the Family Court, Chennai.

For Petitioner : Mr.M.Annamalai

For Respondent : No appearance

O R D E R

The petitioner/wife, who is the respondent in H.M.O.P.No.125 of 2013 on the file of the Sub Court, Sivagangai District, has come forward with this transfer petition to transfer the same to the file of the Family Court, Chennai.

2. Learned counsel for the petitioner/wife submitted that the respondent/husband filed a petition in H.M.O.P.No.125 of 2013 for divorce before the Sub Court, Sivagangai District. It is further submitted that the petitioner/wife is residing at Chennai and hence, it is difficult for her to travel from Chennai to Sivagangai to attend each and every hearing. Therefore, she prays that the case may be transferred from the Sub Court, Sivagangai to the file of the Family Court, Chennai.

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 (06.01.2016) under the caption 'for orders'. Even today, there is no representation on behalf of the respondent.

4. Considering the submission made by the learned counsel for the petitioner, I am inclined to order transfer. Accordingly, the petition in H.M.O.P.No.125 of 2013 is ordered to be withdrawn from the file of the Sub Court, Sivagangai and transferred to the file of the II Additional Family Court, Chennai, for disposal in accordance with law. The Presiding Officer, Sub Court, Sivagangai, is directed to transmit all the records pertaining to H.M.O.P.No.125 of 2013 to the file of the II Additional Family Court, Chennai within 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.

Cse

Sd/-
Assistant Registrar (CS-V)

/True Copy/

Sub-Assistant Registrar

To

1. The Sub Court, Sivagangai.
2. The II Additional Family Court, Chennai.

+1 C.C. To MR.M.Annamalai, Advocate in SR.NO.1143

Tr.C.M.P.No.808 of 2015
and M.P.No.1 of 2015

PPA(CO)
sd : 27/01/2016

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