

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.02.2016

CORAM

THE HONOURABLE MR. JUSTICE P.R.SHIVAKUMAR

Tr.C.M.P.No.136 of 2016

&

C.M.P.No.3251 of 2016

Vishnupriya

... Petitioner

vs.

Vaidehinathan

... Respondent

Transfer Civil Miscellaneous Petition filed under Section 24 of the Code of Civil Procedure to withdraw the petition in H.M.O.P.No.73 of 2012 before the Subordinate Judge, Namakkal and to transfer the same to the Family Court, Salem.

For Petitioner : Mr.J.Franklin

ORDER

The arguments advanced by Mr.J.Franklin, learned counsel for the petitioner are heard.

2. The petitioner is the wife of respondent and she seeks the transfer of H.M.O.P.No.73 of 2012 pending on the file of Sub-Court, Namakkal to the file of Family Court, Salem. The said H.M.O.P came to be filed in 2012. After a lapse of four years, the petitioner has come forward with the present petition seeking transfer of the same to Salem.

3.The belated approach itself will show lack of bonafide and the intention to drag the husband to a place inconvenient to him. Hence, this Court is of the view that the Transfer Civil Miscellaneous Petition has to be dismissed even without notice to the respondent.

4. Accordingly, the Transfer Civil Miscellaneous Petition is dismissed. No costs. Consequently, the connected miscellaneous petition is closed.
gpa

-s/d-

Assistant Registrar(CS-IV)

True Copy

Sub-Assistant Registrar

To

1. The Subordinate Judge
Namakkal

2. The Family Court
Salem

+ 1 cc to M/s.J.Franklin,Advocate, SR 12950

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