

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.06.2015

CORAM

THE HONOURABLE THIRU JUSTICE M. DURAISWAMY

Tr.C.M.P.Nos.357 & 358 of 2016 &
C.M.P.No.9672 & 9673 of 2016 in
Tr.C.M.P.Nos. 357 & 358 of 2016

S.Christu Raj Franklin ... Petitioner in both Tr.CMPs

v.

Revathy ... Respondent in both Tr.CMPs

Tr.C.M.P.No.357/2016 filed under section 24 of C.P.C., to withdraw O.P.No.3618 of 2010 on the file of II Additional Judge of Family Court, Chennai and transfer the same to the file of any other Family Court at Chennai.

Tr.C.M.P.No.358/2016 filed under section 24 of C.P.C., to withdraw O.P.No.3060 of 2010 on the file of II Additional Judge of Family Court, Chennai and transfer the same to the file of any other Family Court at Chennai.

For Petitioner : Mr.R.Sankaranarayanan

COMMON ORDER

The petitioner, who is the husband of the respondent, has filed the above Transfer C.M.Ps to withdraw O.P.Nos.3618 of 2010 and 3060 of 2010 pending on the file of II Additional Judge, Family Court, Chennai and transfer the same to the file of any other Family Court at Chennai.

2. The petitioner has stated that he is employed at Singapore and that he has come down to Chennai on 36 occasions for the purpose of attending Family Court proceedings.

3. The learned counsel appearing for the petitioner submitted that in spite of several hearings and the matters are pending from 2010, the II Additional Judge, Family Court, Chennai, has not disposed of the Original Petitions yet. Further, the learned counsel submitted that in view of the long pendency of the matters, the petitioner is put to hardship and prejudice. Hence, the Original Petitions may be transferred to some other Family Court at Chennai for early disposal of the same.

4. The grounds put-forth by the learned counsel for the petitioner cannot be accepted for transferring the Original Petitions to some other court. Mere pendency of the Original Petitions for a long period of time is not a ground to transfer the Original Petitions to some other court. Hence, I am not inclined to entertain the Transfer Petitions filed by the petitioner with available averments. However, since the Original Petitions are of the year 2010 and that they are in a part-heard stage, I direct the II Additional Judge, Family Court, Chennai to dispose of the Original Petitions in O.P.Nos.3618 of 2010 and 3060 of 2010, on merits and in accordance with law, within a period of three months from the date of receipt of a copy of this order. The learned counsel appearing for the petitioner submitted that the petitioner will be coming down to Chennai in the 2nd week of July 2016. The II Additional Judge, Family Court, Chennai is directed to give priority to these Original petitions for the reason that the partitioner is coming from Singapore for attending the court proceedings. The II Additional Judge, Family Court, Chennai is also directed to report the disposal of the Original Petitions to the Registry of this court.

With these observations, the Transfer C.M.Ps are dismissed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

Rj

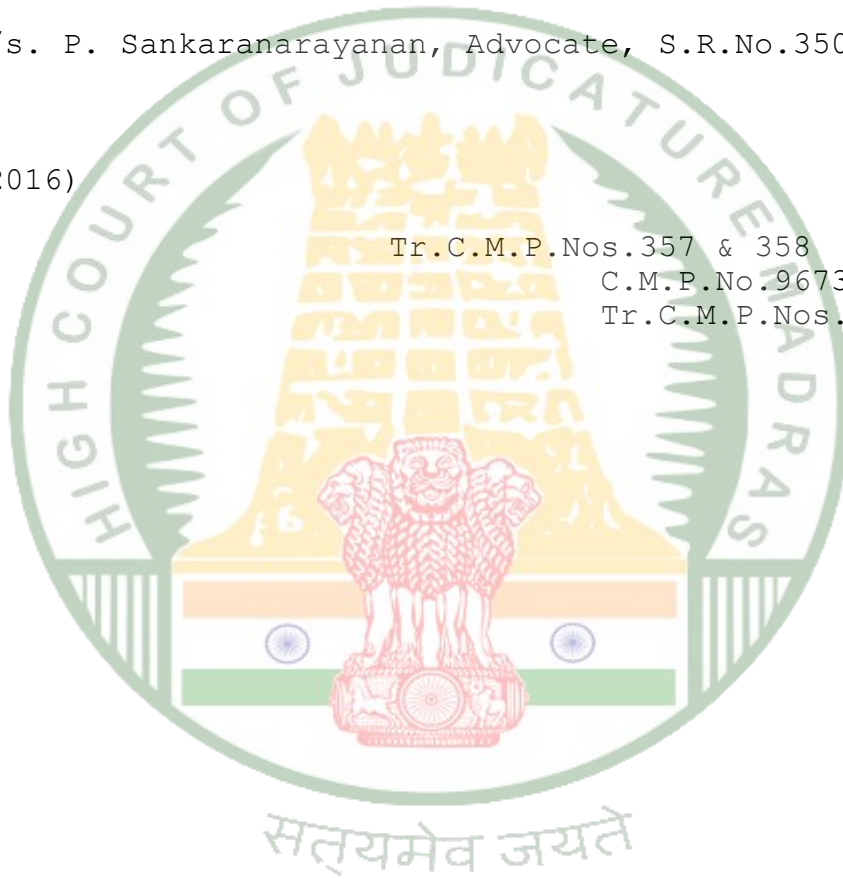
To

The II Additional Judge,
Family Court,
Chennai

+lcc to M/s. P. Sankaranarayanan, Advocate, S.R.No.3504

KP(CO)
EU(27/06/2016)

Tr.C.M.P.Nos.357 & 358 of 2016 &
C.M.P.No.9673 of 2016 in
Tr.C.M.P.Nos.358 of 2016



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