

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.06.2017

CORAM :

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

Tr.C.M.P. No.224 of 2017

and

C.M.P.No.3989 of 2017

K.Lavanya ... Petitioner/Respondent

Vs.

K.Shankar Narayanan ... Respondent/Petitioner

Prayer:- Petition has been filed under Section 24 of C.P.C., to withdraw H.M.O.P.No.174 of 2016 from the file of the Sub Court, Kancheepuram and transfer to the file of the Family Court, Chennai.

For Petitioner : Mr.S.Anil Sandeep

For Respondent : Mr.R.Revathy

ORDER

This petition is filed to withdraw to withdraw H.M.O.P.No.174 of 2016 from the file of the Sub Court, Kancheepuram and transfer to the file of the Family Court, Chennai.

2. The petitioner is the wife and respondent is the husband. The marriage between the petitioner and respondent was conducted on 01.06.2012 as per Hindu rites and customs. In the wedlock, a female child was born to them. Due to difference of opinion, both the petitioner and respondent are living separately. The respondent filed H.M.O.P.No.174 of 2016 for divorce, before the file of the Sub Court, Kancheepuram.

3. According to the petitioner, she is residing at Chennai along with her parents. The distance between Kancheepuram and Chennai is more than 70 kilometres and hence, it is very difficult for her to travel from Chennai to Kancheepuram to attend the hearing before Sub Court, Kancheepuram. Further, the petitioner is working in a private company and unable to avail leave often to attend the hearing with her daughter and father, who is a senior citizen. Therefore, she prays for transfer of H.M.O.P.No.174 of 2016 from the file of the Sub Court, Kancheepuram to the file of the Family Court, Chennai.

4. Heard the learned counsel for the petitioner and the respondent.

5. Learned counsel for the respondent submitted that the respondent has no objection to transfer the case as sought for by the petitioner and he has also made an endorsement to that effect.

6. Recording the no objection given by the learned counsel for the respondent, without deciding the issue on merits, the petition in H.M.O.P.No.174 of 2016 is ordered to be withdrawn from the file of the Sub Court, Kancheepuram and transferred to the file of the Family Court, Chennai. The Presiding Officer, Sub-Court, Kancheepuram, is directed to transmit all the records pertaining to H.M.O.P.No.174 of 2016 to the file of the Family Court, Chennai, within a period of two weeks from the date of receipt of a copy of this order. The Presiding Officer, Family Court, Chennai, is directed to dispose of H.M.O.P.No.174 of 2016 as expeditiously as possible, in any event, not later than, three months from the date of receipt of a copy of this order.

Accordingly, this Transfer Civil Miscellaneous petition is ordered. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-
Asst.Registrar (CS VI)

/true copy/

Sub Asst. Registrar

at/gv

To

1.The Sub Court,
Kancheepuram.

2.The Family court,
Chennai.

+1cc to Mr.Anilsandeep,Advocate sr.46377

+1cc to Mr.R.Ravathy,Advocate sr.45562

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vgII(co)
ss(17/7/2017)