

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.03.2017

CORAM

THE HONOURABLE THIRU JUSTICE M. DURAISWAMY

Tr.C.M.P.No.277 of 2017 &
C.M.P.No.5272 of 2017

N.Vasantha

... Petitioner/Respondent

v.

K.Nanda Kumar

... Respondent/Petitioner

Tr.C.M.P. filed under section 24 of C.P.C., to withdraw O.P.No.4682 of 2013 pending on the file of I Additional Family Court, Chennai and transfer the same to any other Additional Family Court to conduct a fair trial with necessary directions to grant reasonable and equal opportunities to the petitioner to prove her case.

For Petitioner : Mr.V.Venkatesh

ORDER

The petitioner, who is the wife of the respondent, has filed the above Tr.C.M.P. to withdraw the Original Petition in O.P.No.4682 of 2013 pending on the file of I Additional Family Court, Chennai and transfer the same to some other Additional Family Court.

2. The grievance of the petitioner is that the Family Court is taking up the matter on day-to-day basis without giving sufficient time to the petitioner.

3. The petitioner cannot have any grievance for early disposal of the matter. When the Original Petition was filed in the year 2013 and when the trial of the matter had begun in 2016, one cannot expect giving adjournments for weeks and months for completing the oral evidences. The Family Court has rightly took up the matter for trial and also given sufficient

opportunities to the parties to let in oral evidences.

4. The petitioner has not made out a case for transferring the Original Petition to some other court. The Tr.C.M.P. is devoid of merits and is liable to be dismissed. Accordingly, the Tr.C.M.P. is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

-s/d-
Assistant Registrar (CS-IX)

True Copy

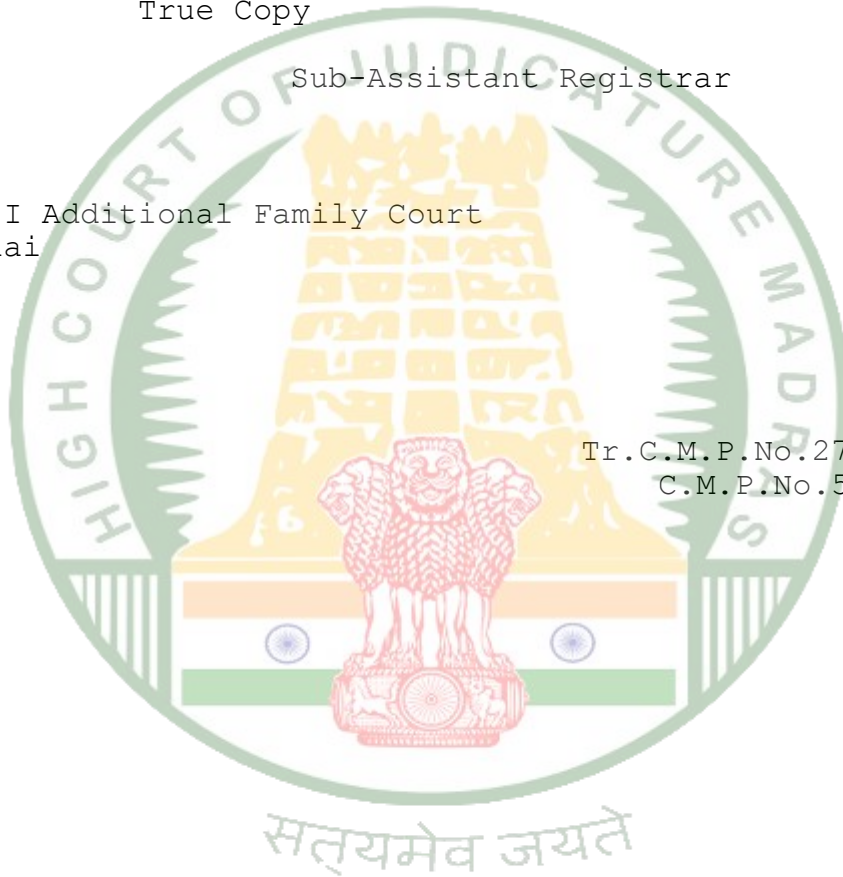
Sub-Assistant Registrar

To

The I Additional Family Court
Chennai

Tr.C.M.P.No.277 of 2017 &
C.M.P.No.5272 of 2017

GJ (CO)
sp/28/3



WEB COPY