

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.10.2017

CORAM :

THE HONOURABLE Mrs. JUSTICE PUSHPA SATHYANARAYANA

Tr.C.M.P.No.584 of 2017  
and  
C.M.P.No.12258 of 2017

G.Rangammal

... Petitioner

Vs.

G.Govinda Ranjith Kumar

... Respondent

Prayer:- Petition has been filed under Section 24 of C.P.C., to withdraw the H.M.O.P.No.511 of 2017 pending on the file of Family Court, Madurai to be transferred and tried before the Family Court at Chennai.

For Petitioner : Mr.N.Elumalai

For Respondent : Mr.G.Pandiarajan

O R D E R

The petitioner/wife in a matrimonial proceedings has filed the above transfer Civil Miscellaneous Petition seeking to withdraw H.M.O.P.No.511 of 2017, pending on the file of Family Court, Madurai and transfer the same to the file of Family Court, Chennai.

2. The respondent/husband has filed H.M.O.P.No.511 of 2017 under Section 13(1)(i-a) of Hindu Marriage Act for dissolution of marriage held between the petitioner and the respondent on 26.02.2014.

3. Heard the learned counsel for the petitioner as well as learned counsel for the respondent.

4. It is stated that the wife has also filed a petition in M.C.No.332 of 2017 before the IV Additional Family Court, Chennai. The respondent/husband has filed his counter stating that he is a Sub-Editor in Hindu Tamil Edition of Madurai office, it will be difficult for him to travel to Chennai and appear before the Family Court, Chennai for each hearings.

5. The learned counsel for the respondent submitted that, the respondent/husband is agreeable for transfer to Sub Court,

Tambaram, for the reason that the presence of the parties is not required. As stated above already M.C.No.332 of 2017, filed by the wife is pending before the IV Additional Family Court, Chennai. Hence, it would be appropriate to transfer the H.M.O.P.No.511 of 2017 to Family Court, Chennai.

6. However, considering the request of the respondent/husband, his presence is dispensed with till the commencement of the trial. He is permitted to represent through his counsel. The respondent/husband is directed to make himself available on the date fixed for trial.

7. With the above directions, the Transfer Civil Miscellaneous Petition is allowed and H.M.O.P.No.511 of 2017, pending on the file of Family Court, Madurai shall stand withdrawn and transferred to the file of Family Court, Chennai sought to be tried along with M.C.No.332 of 2017 pending on the file of IV Additional Family Court, Chennai. No Costs. Consequently, connected miscellaneous petition is closed.

Sd/-  
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

rsi

To

1.The Judge,  
Family Court,  
Madurai.

2.The IV Additional Family Court,  
Chennai.

+1cc to Mr.N.Elumalai, Advocate, S.R.No.75641

Tr.C.M.P.No.584 of 2017  
and  
C.M.P.No.12258 of 2017

MR(CO)  
CA(06/11/2017)