

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.06.2018

CORAM:

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

Tr.C.M.P.No.297 of 2018

T.Sekar

.. Petitioner

Vs.

K.Gaja

.. Respondent

PRAYER: Petition filed under Section 24 of the Civil Procedure Code, to withdraw the case in O.P.No.1291 of 2015 pending on the file of the Principal Family Court, Chennai and transfer the same to the file of the Family Court, Gudiyatham town in Vellore.

For Petitioner : Mr.VMG.Ramakkannan

For Respondent : No Appearance

O R D E R

This Transfer Civil Miscellaneous Petition has been filed to withdraw the case in O.P.No.1291 of 2015 pending on the file of the Principal Family Court, Chennai and transfer the same to the file of the Family Court, Gudiyatham town in Vellore.

2.The petitioner is the husband and respondent is the wife. At the time of marriage, the petitioner had two sons and one daughter who were born to him through his first wife. The marriage between the petitioner and respondent was conducted on 01.11.2013. Due to difference of opinion, they are living separately. The respondent has filed O.P.No.1291 of 2015 on the file of the Principal Family Court, Chennai for divorce on the ground of cruelty.

3.According to the petitioner, he is residing at Gudiyatham. He is having poor health condition as he is suffering from chronic diabetics, high blood pressure, loss of partial eyesight and has undergone bypass cardiac and thyroid surgeries. In the circumstances, he has come out with the present Transfer Civil Miscellaneous Petition to transfer O.P.No.1291 of 2015 pending on the file of the Principal Family Court, Chennai to the file of the Family Court at Gudiyatham town at Vellore, since it will be very difficult for him to travel to Chennai to attend each and every Court proceedings.

4.Heard the learned counsel for the petitioner and perused the materials available on record. Though notice has been served on the respondent and her name is printed in the cause list, there is no representation for her either in person or through counsel.

5.Considering the above contention of the learned counsel for the petitioner the Transfer Civil Miscellaneous Petition is ordered. The petition in O.P.No.1291 of 2015 is ordered to be withdrawn from the file of the Principal Family Court, Chennai and transferred to the file of the Family Court, Gudiyatham, Vellore. The learned Judge, Principal Family Court, Chennai is directed to transmit all the records pertaining to O.P.No.1291 of 2015 to the file of the Family Court, Gudiyatham, Vellore within a period of two weeks from the date of receipt of a copy of this order. No costs.

Sd/-

Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar

To

1.The Judge,
Principal Family Court, Chennai.

2.The Judge,
Family Court, Gudiyatham, Vellore.

+1cc to Mr.V.M.G.Ramakkannan, Advocate, S.R.No.36920

सत्यमेव जयते

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SV(CO)

GSP(09/07/2018)

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