



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 01.10.2018

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN
TR.C.M.P. (MD).No.325 of 2018 and
C.M.P. (MD)No.7976 of 2018

G.Komalavalli

... Petitioner/Respondent

Vs.

V.Radhakrishnan

... Respondent/Petitioner

PRAYER : Transfer Civil Miscellaneous petition is filed under Section 24 of the Civil Procedure Code, to withdraw the case in H.M.O.P.No.18 of 2018 from the file of the Principal Sub Court, Chengalpattu and transfer the same to the file of the Family Court, Madurai, for disposal of the same on merits and in accordance with law.

For Petitioner	: Mr.M.Kannan
For Respondent	: No appearance.

O R D E R

The petitioner got married to the respondent on 28.10.1984. The respondent filed H.M.O.P.No.18 of 2018 before the Principal Sub Court, Chengalpattu, seeking divorce. The petitioner is based in Madurai. Therefore, it will be very difficult for her to go over to Chengalpattu and contest the proceedings there.

2. Taking note of the fact that the petitioner is a woman who is aged about 59 years and she is based in Madurai, this Court withdraws H.M.O.P.No.18 of 2018 from the file of the Principal Sub Court, Chengalpattu and transfers the same to the file of the Family Court, Madurai. The Family Court, Madurai, shall issue fresh notice of hearing to the respondent. The respondent however need not appear in person before the Family Court, Madurai, on all occasions. He needs to appear only on counselling dates and on those days, when for his examination as witness, his presence is necessary and on all other days he can be represented through his counsel.

3. The Transfer Civil Miscellaneous petition stands allowed, accordingly. No costs. Consequently, connected Miscellaneous petition is closed.

Sd/
Assistant Registrar(CS-II)

/True copy/



To

1. The Principal Subordinate Judge,
Chengalpattu.

2. The Judge,
Family Court, Madurai.

+1cc to Mr.M.KANNAN, Advocate, SR.No. 88331

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