

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.04.2019

C O R A M

THE HONOURABLE MR.JUSTICE M.GOVINDARAJ

TR C.M.P. Nos.31 and 32 of 2019
and
C.M.P.No.1257 and 1258 of 2019

S.Viswanathan Petitioner in both the
petitions

Vs.

Sowmini Respondent in both the
petitions

PRAYER: Transfer Civil Miscellaneous Petition filed under
Section 24 of C.P.C., to withdraw H.M.O.P.Nos.915 of 2017 and
669 of 2014 on the file of Sub Court, Tambaram and transfer to
the file of Family Court, Chennai.

For Petitioner

In both the petitions : M/s.Sudharshana Sundar

For Respondent

In both the petitions : No Appearance

O R D E R

These Transfer Civil Miscellaneous Petitions have been filed
seeking to transfer of H.M.O.P.Nos.915 of 2017 and 669 of 2014
from the file of Sub Court, Tambaram to the file of Family
Court, Chennai.

2. Petitioner and Respondent are husband and wife. After
marriage, the respondent/husband went to USA on employment. He
came down to Chennai, for recording of evidence and waited for a
period of two weeks. But the respondent protracted the case. He
had to go back to United States of America. The petitioner is
willing to contest the case through video conference, but there
are no facilities available at Sub Court, Tambaram. Hence, he
seeks transfer of the case from Sub Court, Tambaram to Family
Court, Chennai, where the facilities are available.

3. Despite the service of notice, the respondent/wife has not chosen to appear before the Court.

4. From the address given in the affidavit, it is seen that respondent/wife is the resident of Madipakkam, which is within the territorial jurisdiction of Corporation of Chennai. The transfer of the case from Sub Court, Tambaram to Family Court, Chennai will not prejudice the respondent/wife also. Considering the convenience of both the parties and video conferencing facilities the cases are transferred from Tambaram to Chennai.

5. Accordingly, H.M.O.P.Nos.915 of 2017 and 669 of 2014 pending on the file of Sub Court, Tambaram are withdrawn and transferred to the file of Family Court, Chennai.

6. These Transfer Civil Miscellaneous petitions are disposed of with the above direction. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar (CS-V)

//True Copy//

Sub Assistant Registrar

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To

1.The Judge,
Sub Court,
Tambaram.

2.The Judge,
Family Court,
Chennai.

+1 cc to M/s.Sudharshana Sundar, Advocate, S.R.No.36450

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SSM(21/05/2019)