

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.04.2019

C O R A M

THE HONOURABLE MR.JUSTICE M.GOVINDARAJ

TR C.M.P. No.81 of 2019
and
C.M.P.No.3006 of 2019

T.Gomathi ... Petitioner

Vs.

E.Prakash ... Respondent

PRAYER: Transfer Civil Miscellaneous Petition filed under Section 24 of C.P.C., to withdraw the case in H.M.O.P.No.84 of 2018 on the file of the Hon'ble Principal Subordinate Judge, Chengalpattu and transfer the same to the Hon'ble Family Court, Chennai which is competent to conduct the case.

For Petitioner : Mr.P.Britto

O R D E R

This Transfer Civil Miscellaneous Petition has been filed seeking transfer of H.M.O.P.No.84 of 2018 on the file of the learned Principal Subordinate Judge, Chengalpattu to the file of Family Court, Chennai.

2. Respondent and petitioner are husband and wife. The respondent/husband filed a petition in H.M.O.P.No.84 of 2018 for restitution of conjugal rights before the learned Principal Subordinate Judge, Chengalpattu. The respondent/husband is a resident of Kelambakkam, Chennai and the respondent/wife is residing in Perambur, Chennai and has a child aged about 9 months and she finds it difficult to travel from Chennai to Chengalpattu for every hearing. Therefore, she seeks transfer of the petition filed by the husband from the Principal Sub Court, Chengalpattu to Family Court, Chennai.

3. Considering the physical hardship caused to her and her 9 months old baby, this Court is inclined to transfer the petition pending on the file of Sub Court,

Chengalpattu to the file of Family Court, Chennai. Accordingly, H.M.O.P.No.84 of 2018 pending on the file of Sub Court, Chengalpattu is withdrawn and transferred to the file of Principal Family Court, Chennai.

4. The Transfer Civil Miscellaneous Petition is disposed of with the above direction. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

bri

To

1.The Subordinate Judge,
Sub Court,
Chengalpattu.

2.The Judge,
Principal Family Court,
Chennai.

+1cc to Mr.T.Stalin , Advocate SR.No. 31461

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A.SK(24/05/2019)

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