

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.06.2019

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

Tr.C.M.P.No.436 of 2019

N.Guhan rep.by
power of attorney agent P.Nagooran .. Petitioner

-vs-

Mrs.Thenmozhi ... Respondent

Prayer: Transfer Civil Miscellaneous Petition filed under Section 24 of the Code of Civil Procedure to withdraw the case O.P.No.753 of 2018 pending on the file of the II Additional Family Court, Chennai to its file and transfer it to any other Court of competent jurisdiction for trial.

For Petitioner :: Mr.D.Baskar

ORDER

This transfer civil miscellaneous petition has been filed by Mr.P.Guhan represented by his father seeking transfer of the pending O.P.No.753 of 2018 from the file of the II Additional Family Court, Chennai to any other Court for trial. When the petitioner has not made a clear prayer for transfer of the pending original petition filed by the respondent to any other Court, that clearly shows that he wants to drag on the matter. Although the petitioner pleads that his son is working in Qatar as a Technician, this Court finds no justification or substance in the present prayer for withdrawal and transfer of the pending O.P.No.753 of 2018 from the file of the II Additional Family Court, Chennai. The petitioner is simply asking for transfer of the pending case without mentioning to which Court the same shall be transferred that will suit his convenience. Therefore, mere asking for withdrawal and not mentioning to which Court the matter should be transferred, clearly shows that the petitioner has filed this petition only with an oblique motive to drag on the proceedings. Hence, this Court, taking note of the fact that the petitioner has not even come to this Court with clean hands

specifying any place for transfer, is not inclined to entertain the petition. Accordingly, the Tr.C.M.P.No.436 of 2019 is dismissed. Consequently, C.M.P.No.12355 of 2019 is also dismissed.

s/d-
Assistant Registrar(CS VII)

True Copy

Sub-Assistant Registrar

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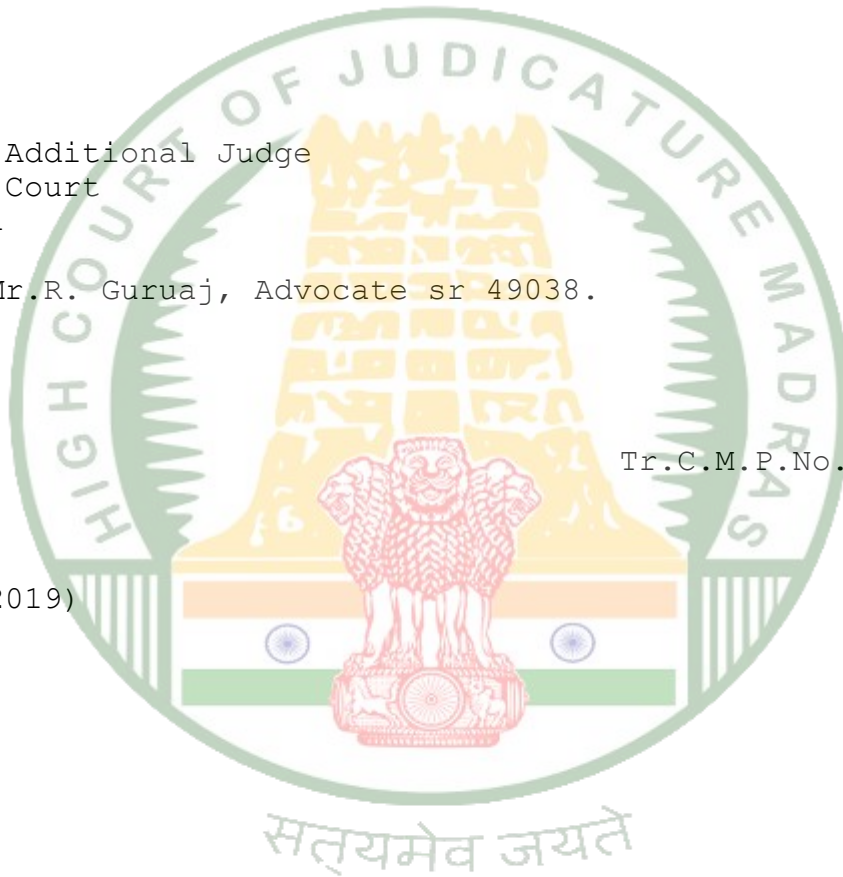
To

1. The II Additional Judge
Family Court
Chennai

+1 CC to Mr.R. Guruaj, Advocate sr 49038.

Tr.C.M.P.No.436 of 2019

MR(CO)
SP(11/07/2019)



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