

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 07.06.2019

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

Tr. C.M.P. No.235 of 2019
and C.M.P. No.7062 of 2019

V.Renuga @ Lakshmi

... Petitioner

-VS-

T.R.Srinivasan

... Respondent

Prayer: Petition filed under Section 24 of C.P.C to withdraw the H.M.O.P. No.4431 of 2018 on the file of the V Additional Family Court, Chennai and transfer the same to the file of the Sub Court, Tindivanam.

For Petitioner : Mr.C.Rajaguru
For Respondent : No appearance

O R D E R

The Transfer C.M.P. has been filed to transfer the H.M.O.P. No.4431 of 2018 pending on the file of the V Additional Family Court, Chennai to the file of the Sub Court, Tindivanam.

2.Learned counsel appearing for the petitioner would submit that the marriage between the petitioner and the respondent was solemnised on 29.05.2015 at Chennai, as per Hindu rites and customs in the presence of the parents and friends of the either parties. After the marriage, the respondent started to blame the petitioner for each and everything, without any valid reason, but the petitioner tolerated all the inhuman treatments and lived in her matrimonial home. According to the learned counsel appearing for the petitioner, when the petitioner got conceived, without even considering that she was pregnant, the respondent drove the petitioner out of her matrimonial home. Despite her family members approached the respondent, he did not respond for the same. While so, the petitioner received summons from the V Additional Family Court, Chennai on the petition filed by the respondent in H.M.O.P. No.4431 of 2018 seeking divorce. Learned counsel appearing for the petitioner would further submit that now the petitioner's child, aged about three years, got admission in St. Joseph Cluny Matriculation School, Tindivanam. Since the distance between Chennai and Dindivanam is more than

140 kms., it is very difficult for the petitioner to undertake long journey to attend the Court proceedings along with the child and therefore, if the said H.M.O.P. No.4431 of 2018 is transferred to the file of the Sub Court, Tindivanam, no prejudice will be caused to the respondent.

3.As per the records maintained by the registry, notice was served on the respondent on 17.05.2019 and private notice has also been taken by the learned counsel for the petitioner and affidavit of service has also been filed to that effect, but there is no representation on behalf of the respondent either by engaging counsel or by himself.

4.Taking note of the fact that although service is complete, the respondent has not chosen to appear before this Court, which shows that the respondent has no objection in allowing the petition, this Court is inclined to transfer the H.M.O.P. No.4431 of 2018 pending on the file of the V Additional Family Court, Chennai to the file of the Sub Court, Tindivanam. Accordingly, the Tr. C.M.P. is allowed and the H.M.O.P. No.4431 of 2018 pending on the file of the V Additional Family Court, Chennai is withdrawn and transferred to the file of the Sub Court, Tindivanam.

5.The Sub Court, Tindivanam is directed to take up the case and dispose of the same expeditiously in the manner known to law. No costs. Consequently, C.M.P. No.7062 of 2019 is closed.

Sd/-

Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

vga

To

1.The Judge, The V Additional Family Court, Chennai.

2.The Sub Judge, The Sub Court, Tindivanam.

+1cc to Mr.C.Rajaguru, Advocate, S.R.No.45630

Tr.C.M.P.No.235 of 2019
and C.M.P. No.7062 of 2019

VGII(CO)
CS/24/06/2019