

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:27.04.2019

CORAM:

THE HONOURABLE MR.JUSTICE M.GOVINDARAJ

Tr.CMP.Nos.258 of 2019
and
C.M.P.No.7545 of 2019

S.Anusha

... Petitioner

Vs.

Arunkumar

... Respondent

PRAYER: Transfer Civil Miscellaneous petitions filed under section 24 of the Civil Procedure Code, praying to transfer the F.C.O.P.No.311 of 2018 from the file of the Family Court, Vellore to the file of Second Additional Family Court, Chennai and to be tried along with H.M.O.P.No.1042 of 2019.

For petitioner : Dr.D.Simon

For Respondent : No Appearance

O R D E R

This petition is filed by the petitioner seeking to transfer the F.C.O.P.No.311 of 2018 from the file of the Family Court, Vellore to the file of Second Additional Family Court, Chennai and to be tried along with H.M.O.P.No.1042 of 2019.

2. The petitioner is the wife. The respondent / husband filed a petition for restitution of conjugal rights before Family Court, Vellore. Whereas, the petitioner filed a petition for divorce before Family Court, Chennai. The petitioner / wife finds it difficult to travel from Chennai to Vellore for every hearing of the case and hence seeks transfer of the petition filed by respondent / husband from Family Court, Vellore to Family Court, Chennai.

3. Despite the service of notice, respondent / husband has not chosen to appear before this Court either in person or through counsel.

4. Considering the physical hardship caused to the petitioner / wife, this Court is inclined to allow the transfer petition filed by petitioner / wife. Accordingly, F.C.O.P.No.311 of 2016 pending on the file of Family Court, Vellore is withdrawn and transferred to II Additional Family Court to be tried along with H.M.O.P.No.1042 of 2019. The Family Court, Vellore is directed to transfer the bundles to II Additional Family Court, Chennai, forthwith.

5. The transfer civil miscellaneous petition is ordered, accordingly. No costs. Consequently, connected civil miscellaneous petition is closed.

Sd/-
Assistant Registrar (CS-VIII)

//True Copy//

Sub Assistant Registrar

bkn

To

1. The Judge, Family Court, Vellore.

2. The Judge, Family Court, Chennai.

+1 cc to Mr.D.Simon, Advocate, S.R.No.41091

Tr.CMP.Nos.258 of 2019
and
C.M.P.No.7545 of 2019

RJ (CO)
SSM(30/04/2019) .

सत्यमेव जयते

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