

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.06.2019

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

Tr.C.M.P.No.321 of 2019

M.Manjula .. Petitioner/ Respondent

-vs-

Poyyathu @ P.Mahendran .. Respondent/ Petitioner

Prayer: Transfer Civil Miscellaneous Petition filed under Section 24 of the Code of Civil Procedure to withdraw and transfer the H.M.O.P.No.4 of 2018 from the file of the Principal Sub Court, Tindivanam to the file of Principal Judge, Family Court, Chennai.

For Petitioner :: Mrs.D.Lakshmi Kalyani  
For Respondent :: No appearance

ORDER

M.Manjula, W/o Poyyathu @ P.Mahendran, the respondent herein has come to this Court seeking an order to withdraw the pending H.M.O.P.No.4 of 2018 from the file of the learned Principal Subordinate Judge, Tindivanam and transfer the same to the file of the Family Court at Chennai, on the ground that the petitioner, aged about 32 years, with her eight year old boy and in advanced stage of pregnancy, is unable to go to Tindivanam to attend the hearing in the pending H.M.O.P.No.4 of 2018.

2. This Court has ordered notice on 16.4.2019. The Registry record shows that the notice issued by the Registry was refused to be received by the respondent on 10.5.2019. That shows that the respondent has no regards and respect to appear before this Court and the conduct of the respondent not to receive the Court summon clearly shows that he has no objection for allowing the transfer civil miscellaneous petition. Therefore, this Court, taking note of the fact that the petitioner is having an eight year old boy and is unable to travel to Tindivanam due to advanced stage of pregnancy, is inclined to allow the transfer civil miscellaneous petition. Accordingly, the Tr.C.M.P.No.321 of 2019 is allowed and the H.M.O.P.No.4 of 2018 is withdrawn from the file of the Principal Sub Court, Tindivanam and transferred to the file of the Family Court at Chennai. The learned Family Court Judge, Chennai

is directed to take up the matter and dispose of the same expeditiously after issuing notice to the parties. Consequently, C.M.P.No.9367 of 2019 is closed.

Sd/-  
Assistant Registrar(CS VI)

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Sub Assistant Registrar

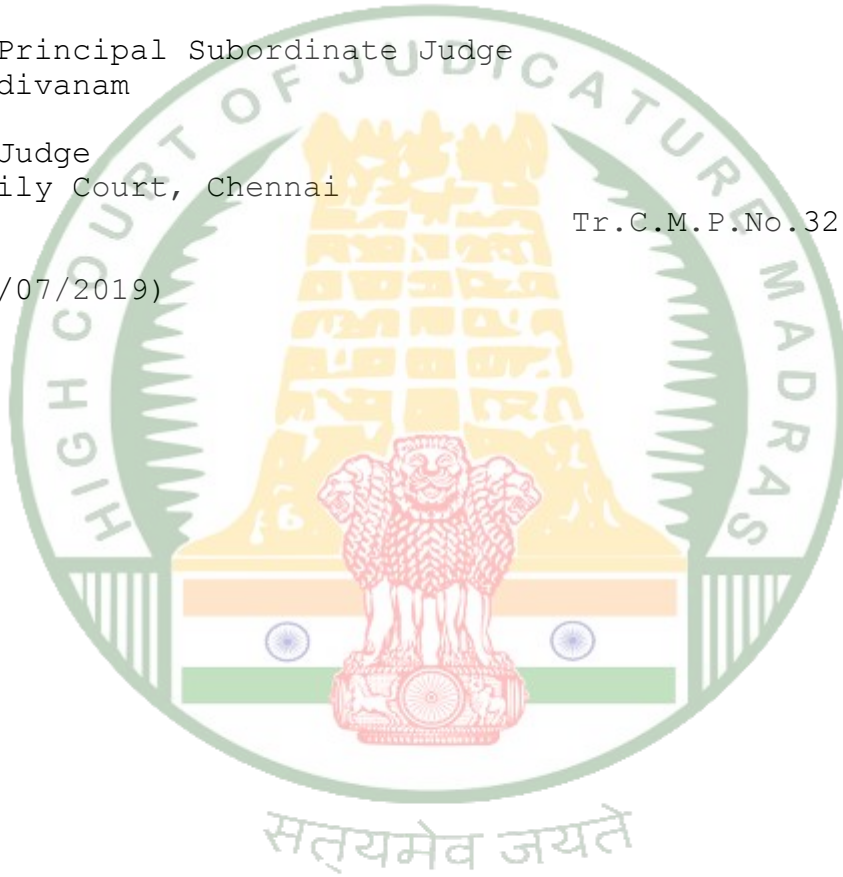
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To

1. The Principal Subordinate Judge  
Tindivanam
2. The Judge  
Family Court, Chennai

Tr.C.M.P.No.321 of 2019

A.SK(16/07/2019)



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