

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 07.06.2019

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

Tr. C.M.P. No.305 of 2019
and C.M.P. No.8806 of 2019

Dharshinipriya

... Petitioner

-vs-

B.Manojkumar

... Respondent

Prayer: Petition filed under Section 24 of C.P.C to withdraw the petition in F.C.O.P. No.55 of 2019 pending on the file of the Family Court, Namakkal and transfer the same to the Family Court, Chennai.

For Petitioner : Mr.I.C.Vasudevan

For Respondent : No appearance

O R D E R

The Transfer C.M.P. has been filed to transfer the F.C.O.P. No.55 of 2019 pending on the file of the Family Court, Namakkal to the file of the Family Court, Chennai.

2.Learned counsel appearing for the petitioner would submit that the marriage between the petitioner and the respondent was solemnised on 17.08.2016 at Samuthaya Koodam, Pettaipalayam, Mohanur, Namakkal District as per Hindu rites and customs. After the marriage, due to disputes arose between themselves, they started to live separately. While so, the respondent filed a petition for divorce before the Family Court, Namakkal in F.C.O.P. No.55 of 2019 by making false and frivolous allegations against the petitioner, who is living with her parents at Chennai. According to the learned counsel appearing for the petitioner, since the distance between Chennai and Namakkal is more than 400 kms., it is very difficult for the petitioner to undertake long journey to attend the Court proceedings and therefore, if the said F.C.O.P. No.55 of 2019 is transferred to the file of the Family Court, Chennai, no prejudice will be caused to the respondent.

3.As per the records maintained by the registry, notice was served on the respondent on 30.04.2019, but there is no representation on his behalf 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 F.C.O.P. No.55 of 2019 pending on the file of the Family Court, Namakkal to the file of the Family Court, Chennai. Accordingly, the Tr. C.M.P. is allowed and the F.C.O.P. No.55 of 2019 pending on the file of the Family Court, Namakkal is withdrawn and transferred to the file of the Family Court, Chennai.

5.The Family Court, Chennai 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.8806 of 2019 is closed.

sd/-
Assistant Registrar(insp.cell)

// True Copy//

Sub Assistant Registrar

vga
To

1. The Judge,
The Family Court, Namakkal.

2.The Judge,
The Family Court, Chennai.

+1cc to Mr.I.C.Vasudevan, Advocate, sr. no.45703

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VD(CO)
RMP(09/07/2019)

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