

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.12.2019

CORAM:

THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN

Transfer C.M.P.No.617 of 2019

M.Leelavathi

...Petitioner

vs.

A.Sivakumar @ Madesh

...Respondent

Tr.C.M.P. filed under Section 24 of C.P.C., to withdraw H.M.O.P.No.770 of 2017, pending on the file of the Learned Subordinate Judge, Tambaram, Chengalpattu District and transfer the same to the file of the Leanted Subordinate Judge, Poonamallee, Thiruvallur District.

For Petitioner : Mr.J.Ganesh

For Respondent : Mr.T.N.Murali Moghan

O R D E R

The Petitioner, who is the wife of the Respondent, has filed this Petition, seeking transfer of H.M.O.P.No.770 of 2017, from the file of the Sub-Court, Tambaram, Chengalpattu District to the file of the Sub-Court, Poonamallee, Thiruvallur District.

2. The marriage between the Petitioner and the Respondent was solemnized on 03.07.2015 and through the wedlock, there is a male child born to them. On account of dispute in the family front, parties have approached the Family Court and trial has commenced before the Sub Court, Tambaram.

3. Admittedly, both the Petitioner/wife and the Respondent/husband are employed and that, the Petitioner/wife is placed in a better position than the Respondent/husband. This may be the reason for the emotional clash between the spouse, which, this Court does not want to delve at this stage, as this is not the subject matter of the issue in question.

4. In both the Sub-Courts, parties are represented by Lawyers. There are no germane reasons to accept transfer of the proceedings in H.M.O.P.No.770 of 2017 from the Sub-Court, Tambaram to the Sub-Court, Poonamallee.

5. As trial is going on in H.M.O.P.No.770 of 2017 on file of the Sub-Court, Tambaram, Chengalpattu District, the Sub-Judge, Tambaram is expected to conclude the trial in H.M.O.P.No.770 of 2017, as expeditiously as possible, without adjourning the matter beyond 15 working days at any point of time, in order to bring the issue to a logical end.

6. The Transfer Civil Miscellaneous Petition is disposed of accordingly. No costs. Consequently, connected C.M.P.No.17594 of 2019 is closed.

s/d-
Assistant Registrar(CS-III)

True Copy

Sub-Assistant Registrar

(jas/aeb)

To :

- 1.The Sub-Court, Tambaram, Chengalpattu.
- 2.The Sub-Court, Poonamallee, Thiruvallur District.

+1 CC to Mr.T.N.Murali, Advocate sr 102737.

Transfer CMP No.617 OF 2019

RP(CO)
SP(30/12/2019)