

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.06.2019

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

Tr.C.M.P.No.421 of 2019

A.Agila

.. Petitioner

-Vs-

T.Gobinath

.. Respondent

Transfer Civil Miscellaneous Petition filed under Section 24 of the Code of Civil Procedure to withdraw the I.A.No.56 of 2019 in H.M.O.P.(SR)No...of 2019 pending on the file of the Subordinate Judge, Neyveli and transfer the same to the file of Family Court, Puducherry.

For Petitioner :: Mr.T.Saikrishnan

ORDER

This is a peculiar case where the petitioner-wife has come to this Court seeking transfer of the I.A.No.56 of 2019 in H.M.O.P.SR.No...of 2019 from the file of the learned Subordinate Judge, Neyveli to the Family Court at Puducherry, which was filed by the husband within one year from the date of marriage to grant leave.

2. Learned counsel for the petitioner fairly stated that the petitioner-wife is temporarily employed at Bangalore, whereas the respondent-husband is working abroad. However, due to the disturbance created at the instance of her in-laws who are residing at Neyveli, there is an apprehension in the mind of the petitioner-wife that she may at any time face some risk and threat. Therefore, she has been advised to come to this Court seeking to withdraw the I.A.No.56 of 2019 in H.M.O.P.SR.No...of 2019 pending before the learned Subordinate Judge, Neyveli to the Family Court at Puducherry.

3. This Court hardly finds any merit in the prayer for the reason that the petitioner is presently working at Bangalore and her husband, the respondent herein is also admittedly employed abroad. Therefore, when the case is pending at Neyveli or even if the case is transferred to Puducherry, both the petitioner and the respondent have to travel from their respective places

to contest the case. Hence, this Court is not able to find any merit or justification to entertain the transfer civil miscellaneous petition. Accordingly, Tr.C.M.P.No.421 of 2019 is dismissed. Consequently, C.M.P.No.11989 of 2019 is also dismissed.

Sd/-
Deputy Registrar

//True Copy//

Sub Assistant Registrar

ss

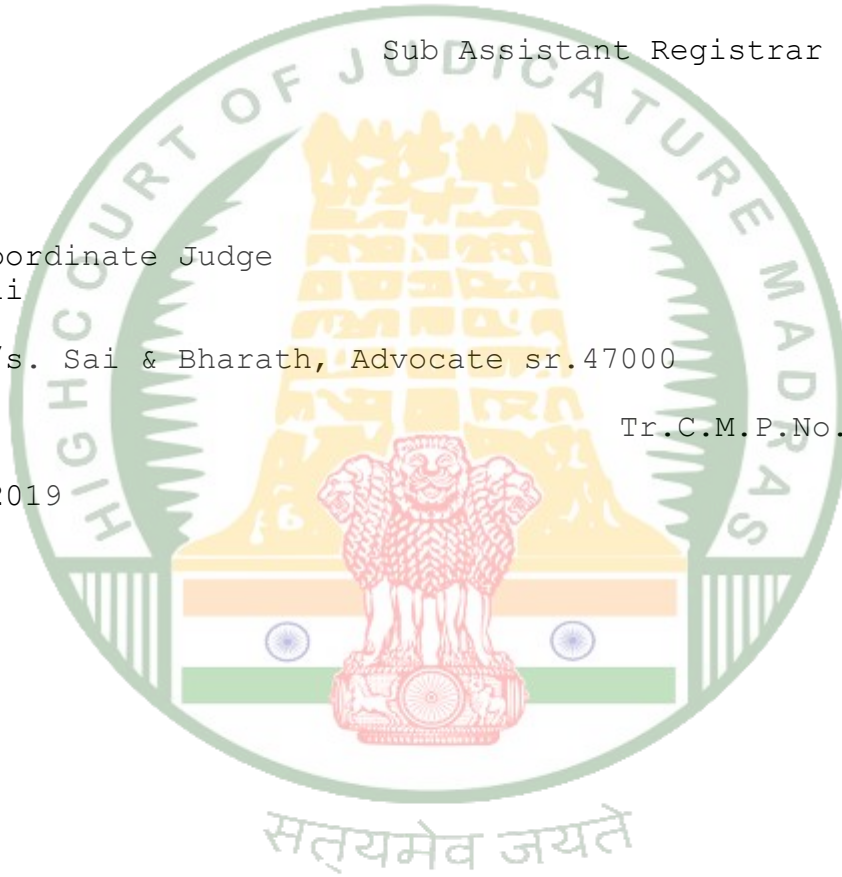
To

1. The Subordinate Judge
Neyveli

+1cc to M/s. Sai & Bharath, Advocate sr.47000

Tr.C.M.P.No.421 of 2019

nr 11/07/2019



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