

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.07.2019

CORAM :

THE HONOURABLE MR. JUSTICE T.RAJA

Tr.C.M.P.No.431 of 2019

and

C.M.P.No.12195 of 2019

Dr.Durga

... Petitioner/ respondent

Vs.

Dr.V.R.Rajinikanth

... Respondent/ Petitioner

Prayer:- Petition has been filed under Section 24 of C.P.C., praying to withdraw H.M.O.P.No.385 of 2019, pending on the file of the District Judge, Family Court, Madurai, and transfer the same to the file of the Family Court, Chennai.

For Petitioner : Mr.A.P.Loganathan

For Respondent : Mr.S.Selvakumar

O R D E R

The present Transfer Civil Miscellaneous Petition is filed to withdraw H.M.O.P.No.385 of 2019 on the file of the learned Family Court, Madurai, and to transfer the same to the file of the learned Family Court, Chennai.

2. The petitioner is the wife and the respondent is the husband. The above said H.M.O.P.No.385 of 2019 was filed by the respondent/husband on the file of the learned Family Court, Madurai, seeking for divorce.

3. When the matter was taken up on 12.06.2019, this Court, while issuing notice to the respondent/husband, directed both the parties to appear in the Chamber today for amicable settlement. Accordingly, they appeared before me today, but, the respondent/husband is not ready for reunion.

4. Learned counsel for the petitioner/wife submitted that as the petitioner is working in Chennai and she also has 5 month old baby in her custody, it not possible for her to travel from the Chennai to Madurai to attend each and every hearing and therefore, he has prayed for transferring the above said case filed by the respondent/husband to the file of the learned Family Court, Chennai.

5. In view of the above, since the petitioner is having five month old baby in her custody, it is not feasible for her to travel from Chennai to Madurai, which is about 450 kms. away from Chennai, to attend each and every hearing. Therefore, H.M.O.P.No.385 of 2019 filed by the husband is withdrawn from the file of the learned Family Court, Madurai, and consequently, transferred to the file of the learned Family Court, Chennai. On such transfer, the learned Family Court, Chennai, shall dispose of the same in the manner known to law as expeditiously as possible.

6. With the above direction, the present Transfer Civil Miscellaneous Petition is allowed. Consequently, connected C.M.P.No.12195 of 2019 is closed.

Sd/-
Assistant Registrar(CS)

//True Copy//

Sub Assistant Registrar

rkm

To

- 1.The District Judge,Family Court, Madurai.
- 2.The Judge,Family Court, Chennai.

+1cc to Mr.A.P.Loganathan , Advocate SR.No. 55720

Tr.C.M.P.No.431 of 2019
and
C.M.P.No.12195 of 2019

A.SK(31/07/2019)

सत्यमेव जयते

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