



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.07.2019

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

Tr.C.M.P.No.429 of 2019

S.Sathya .. Petitioner/Respondent

-vs-

S.Karthikeyan .. Respondent/Petitioner

Transfer Civil Miscellaneous Petition filed under Section 24 of the Code of Civil Procedure to withdraw the H.M.O.P.No.122 of 2019 from the file of the Principal Sub Court at Mayiladuthurai and to transfer the same to the Family Court, Karaikal.

For Petitioner :: Mr.T.Saikrishnan

For Respondent :: Ms.Adhilakshmi

ORDER

S.Sathya, Wife of S.Karthikeyan, the respondent herein has come to this Court seeking to withdraw the H.M.O.P.No.122 of 2019 from the file of the learned Principal Sub Court, Mayiladuthurai and to transfer the same to the Family Court at Karaikal, which is about less than 40 kms.

2. Learned counsel for the petitioner, justifying the prayer for transfer, stated that she is having a seven year old son Master Monish out of wedlock, who is also going to school. In addition thereto, the petitioner also has to take care of her aged mother Renuka Devi, who is aged about 65 years and also a cancer patient.

3. It is at this stage the learned counsel for the respondent, opposing the prayer, stated that as the distance is about 37.1 kms., between Mayiladuthurai and Karaikal, no prejudice would be caused to the petitioner for undertaking a short travel.

4. But this Court is unable to accept the objection. The reason being that the petitioner is taking care of her son Master Monish aged about 7 years, who is also going to school and also taking care of her aged mother Renuka Devi, who is 65 years old and taking treatment for cancer. Hence, this Court



finds no impediment to accept the prayer for transfer. Accordingly, the H.M.O.P.No.122 of 2019 is withdrawn from the file of the Principal Sub Court, Mayiladuthurai and transferred to the Family Court at Karaikal. The learned Judge, Family Court, Karaikal shall take up the case and dispose the same expeditiously on merits. Tr.C.M.P.No.429 of 2019 stands allowed. Consequently, C.M.P.No.12167 of 2019 is closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

ss

To

1. The Principal Subordinate Judge
Mayiladuthurai
2. The Judge,
Family Court,
Karaikal.

+1cc to Mr.T.Saikrishnan, Advocate sr.61369
+1cc to Ms.Adhilakshmi Logamarthy sr.61010

Tr.C.M.P.No.429 of 2019

ca(co)
nr 26/08/2019