

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 22.08.2019

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

Tr.C.M.P.No.461 of 2019 and
CMP.No.13068 of 2019

M.Manju

.. Petitioner

vs.

K.Selvakumar

.. Respondent

Transfer Civil Miscellaneous Petition filed seeking to withdraw the petition in F.C.O.P.No.128/2019 pending on the file of the Family Court, Salem and transfer the same to Sub-Court, Coonoor, The Nilgiris District.

For Petitioner : Mr.I.C.Vasudevan

For respondent :No appearance

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JUDGMENT

This Transfer Civil Miscellaneous Petition has been filed seeking to withdraw the petition in F.C.O.P.No.128/2019 pending on the file of the Judge, Family Court, Salem and transfer the same to Sub-Court, Coonoor, The Nilgiris District on the ground that the distance between Salem and Conoor is above 200 kms. which cannot be undertaken normally by a lady, aged about 28 years, that too, with a small child aged about 5 years.

2. When the matter is called today, the learned Counsel for the petitioner is present. There is no representation on behalf of the respondent.

3. A perusal of the Registry Records would show that the service was completed and notice was served on the respondent on 25.07.2019 whereas the private notice was served on 29.06.2019. In spite of service of notices, the respondent has not chosen to appear before this Court. It shows that the respondent has no objection for allowing the present Transfer CMP. Secondly, the distance between Salem and Coonoor is above 200 kms. In addition, the petitioner is having 5 years old daughter. She can never leave the child nor carry

the child while undertaking such a long journey for attending the court hearings.

4. In view of all the above, the Transfer Civil Miscellaneous Petition is allowed. Accordingly, the F.C.O.P.No.128/2019 pending on the file of the Judge, Family Court, Salem is withdrawn and transferred to the file of the Sub-Judge, Sub-Court, Coonoor, The Nilgiris District for expeditious disposal on merits. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar(CS)

//True Copy//

Sub Assistant Registrar

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To

- 1.The Presiding Judge, Family Court, Salem.
- 2.The Sub-Judge, Coonoor, The Nilgiris District.

+1cc to Mr.I.C.Vasudevan , Advocate SR.No. 72001
Tr.CMP.No.461 of 2019
A.SK(26/09/2019)