

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.08.2019

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

Tr.C.M.P.No.162 of 2018

Rajalakshmi @ Ranjani
W/o Kalidass

.. Petitioner

-VS-

Kalidass
S/o Subramani

.. Respondent

Transfer Civil Miscellaneous Petition filed under Section 24 of the Code of Civil Procedure to withdraw the H.M.O.P.No.157 of 2017 pending on the file of the Subordinate Court, Uthamapalayam and transfer the same to the file of the Family Court at Chennai and to be tried along with M.C.No.568 of 2017 pending before V Additional Family Court at Chennai.

[illegible]

For Respondent :: No appearance

ORDER

Mrs.Rajalakshmi alias Ranjani, Wife of Kalidass, residing at Chennai with two female children, namely, Dhanu Shree and Thannika, aged about 8 years and 6 years respectively, has come to this Court seeking an order to withdraw the H.M.O.P.No.157 of 2017 from the file of Sub Court, Uthamapalayam and transfer the same to the Family Court at Chennai, so that the M.C.No.568 of 2017 filed by the petitioner/wife for maintenance pending on the file of the learned V Additional Family Court Judge at Chennai can be tried together.

2. This Court, taking note of the fact that the petitioner has already filed M.C.No.568 of 2017 before the V Additional Family Court, Chennai and is staying with her two female children at Chennai, directed the service of notice on the respondent and the same was also served upon the respondent on 25.6.2019. In spite of the notice served on the respondent, he has not turned up to appear either through counsel or in person. That shows that he has no objection for allowing the transfer

civil miscellaneous petition. Since the petitioner is staying with her two female children, namely, Dhanu Shree and Thannika, aged about 8 years and 6 years respectively at Chennai and they are also studying, it will be difficult for the petitioner to undertake a long journey from Chennai to Uthamapalayam for the hearings. Therefore, the transfer civil miscellaneous petition stands allowed and the H.M.O.P.No.157 of 2017 is withdrawn from the file of the Sub Court, Uthamapalayam and transferred to the V Additional Family Court, Chennai for expeditious disposal on merits. Consequently, C.M.P.No.4346 of 2018 is closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

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To

1. The Subordinate Judge
Uthamapalayam
2. The V Additional Judge,
Family Court, Chennai

+1cc to M/s.Devadason and Sagar, Advocate, S.R.No.71091

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CNR(CO)
CS/30/09/2019