

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 22.08.2019

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

Tr.C.M.P.No.484 of 2019 and
CMP.No.13564 of 2019

Abirami @ Keerthika .. Petitioner /Respondent
vs.
P.Prasanna Kumar .. Respondent/Petitioner

Transfer Civil Miscellaneous Petition filed under Section 24 of the C.P.C. seeking to withdraw the F.C.O.P.No.82 of 2019 on the file of the learned Family Court Judge, Vellore and to transfer the same to the learned Family Court, Chennai District.

For Petitioner : Mr.A.Saravanan

For respondent :No appearance

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JUDGMENT

This Transfer Civil Miscellaneous Petition has been filed seeking to withdraw the F.C.O.P.No.82 of 2019 on the file of the learned Judge, Family Court, Vellore and to transfer the same to anyone of the Family Court, Chennai District.

2. Learned Counsel appearing for the petitioner submitted that the petitioner wife is residing in Chennai. Therefore, she finds it difficult to travel from Chennai to Vellore which is above 150 kms. Secondly, the respondent husband is also working at Chennai in a Private Firm. Therefore, transferring the case from Vellore to Chennai is indeed going to help the respondent because he can work and also appear before the Family Court, Chennai, failing which the petitioner would be unnecessarily forced to undertake a long journey from Chennai to Vellore to attend the court hearings.

3. There is no representation on behalf of the respondent today.

4. A perusal of the typed set of papers shows that the respondent-husband is working in Chennai. It has been admitted in paragraph 2 of the affidavit filed in support of the F.C.O.P.No.82/2019 by the husband seeking divorce under Section 13(1) (1-a) of Hindu Marriage Act, 1955. Therefore, transferring the FCOP.82/2019 from the file of the learned Judge, Family Court, Vellore to anyone of the Family Courts at Chennai will only help the respondent husband to attend the court hearings along with his work.

5. In view of all the above, the Transfer Civil Miscellaneous Petition is allowed. Accordingly, the F.C.O.P.No.82/2019 pending on the file of the learned Judge, Family Court, Vellore is withdrawn and transferred to the Family Court, Chennai, for expeditious disposal on merits. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-
Asst.Registrar

/true copy/

Sub Asst. Registrar

tsi

To

- 1.The Judge, Family Court, Vellore.
- 2.The Principal Judge, Family Court, Chennai.

+1 cc to Mr.A.Saravanan Advocate sr71940

Tr.CMP.No.484 of 2019

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