

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:22.02.2019

CORAM:

THE HONOURABLE MR.JUSTICE M.GOVINDARAJ

Tr.CMP.No.936 of 2018

R.Aparna

... Petitioner

Vs.

U.Yugendra Prabhu

... Respondent

PRAYER: Transfer Civil Miscellaneous Petition filed under section 24 of the Civil Procedure Code, praying to withdraw and transfer the case in H.M.O.P.No.94 of 2018 on the file of Sub Court, Gudiyatham, Vellore District to the Family Court at Chennai.

For petitioner : Mr.T.Vijayan
For respondent : Mr.J.Prakasam

O R D E R

This petition is filed by the petitioner / wife seeking to withdraw and transfer the case in H.M.O.P.No.94 of 2018 on the file of Sub Court, Gudiyatham, Vellore District to the Family Court at Chennai.

2. The petitioner is wife. The respondent / husband filed a divorce petition in H.M.O.P.No.94 of 2018 before the Sub Court, Gudiyatham. The petitioner / wife also filed a complaint in Crime No.26 of 2014 under Section 498 A and 4 of Women Harassment Act before the Police Station at Gudiyatham. Since she was chasen out of the matrimonial home, she is living with her parents at Chennai. She finds it difficult to travel to Gudiyatham for every hearing. Hence, she seeks transfer of the petition filed by the husband from Sub Court, Gudiyatham to Family Court, Chennai.

3. Considering, the physical and mental hardship caused to the petitioner / wife, this Court is inclined to transfer the case from Sub Court, Gudiyatham, Vellore District to Family Court, Chennai. Accordingly, H.M.O.P.No.94 of 2018 pending on the file of Sub Judge, Gudiyatham is withdrawn and transferred to Principal Family Court, Chennai. The Principal Judge, Family Court is directed to renumber the petition and allot the case to the appropriate Family Court with a direction to issue notice to the parties and dispose of the same as expeditiously as possible.

4. The Transfer Civil Miscellaneous Petition is allowed to the extent indicated above. No costs. Consequently, connected Civil Miscellaneous Petition is closed.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

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To

1.The Sub Judge,
Sub Court, Gudiyatham, Vellore

2.The Principal Judge,
Family Court, Chennai.

+2cc to Mr.T.Vijayan, Advocate sr.17437

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rsv(co)
nr 26/06/2019

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