

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 29.08.2019

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

Tr. C.M.P. No.888 of 2018
and C.M.P. No.21917 of 2018

Poongodi ... Petitioner/Respondent

-vs-

Jagadeesan ... Respondent/Petitioner

Prayer: Petition filed under Section 24 of C.P.C to withdraw and transfer the H.M.O.P. No.103 of 2018 from the Sub Judge, Gudiyatham, Vellore District to III Additional Family Court, Chennai.

For Petitioner : Mr.M.Thirumalai

For Respondent : Mr.A.Saranraj

O R D E R

The Transfer C.M.P. has been filed by Poongodi, the petitioner herein to transfer the H.M.O.P. No.103 of 2018 pending on the file of the learned Sub Judge, Gudiyatham, Vellore District to the file of the III Additional Family Court, Chennai.

2.This Court, taking note of the fact that both the petitioner and the respondent are passing through from young age and got married only on 08.09.2017, in an effort to make them together, listed the matter in the Chamber. They also came before the Chamber.

3.Although learned counsel appearing for the respondent husband has raised objection with regard to the petitioner's address given in the Tr.C.M.P., learned counsel appearing for the petitioner, produced a copy of the rental agreement, which was not registered and a copy of the Bank Pass Book, which was opened at State Bank of India, Mylapore Branch, Chennai, showing that the petitioner has been residing in Chennai.

4.In view of the rental agreement coupled with Bank Pass Book showing the particulars of the petitioner, this Court, overruling the objection raised by the respondent, finds that the petition deserves to be allowed and the merits of the H.M.O.P. to be gone into by the Trial Court. Accordingly, the petition is allowed and the H.M.O.P. No.103 of 2018 pending on the file of the learned Sub Judge, Gudiyatham, Vellore District is withdrawn and transferred to the file of the III Additional Family Court, Chennai.

5.The learned Judge, III Additional Family Court, Chennai is directed to take up the case and dispose of the same expeditiously in the manner known to law. No costs. Consequently, C.M.P. No.21917 of 2018 is closed.

6.Learned counsel appearing for the respondent sought for dispensing with the appearance of the respondent.

7.If any such application is filed by the respondent for dispensing with his appearance, the same may be considered by the III Additional Family Court, Chennai.

Sd/-
Assistant Registrar(CS-IV)

//True copy//

Sub Assistant Registrar

vga
To

1.The Subordinate Judge,
Gudiyatham, Vellore District.

2.The Judge, III Additional Family Court, Chennai.

+1cc to Mr.E.Angayarkanni, Advocate SR.No.74582

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PPA(CO)
GMY(04/10/2019)