

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 28.06.2019

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

Tr.C.M.P.No.952 of 2018 and
CMP.No.23443 of 2018

Saranya ... Petitioner/Respondent

vs.

Kameshwaran ... Respondent/Plaintiff

Civil Miscellaneous Appeal filed under Section 24 of C.P.C. seeking to withdraw the Proceedings in H.M.O.P.No.217 of 2018 pending on the file of the Family Court, Dindigul and transfer the same to the file of any one of the Family Courts at Chennai.

For Petitioner : Ms.R.Sathyabama

For respondent : No appearance

JUDGMENT

The present Transfer Civil Miscellaneous Petition has been filed seeking to withdraw the Proceedings in H.M.O.P.No.217 of 2018 pending on the file of the Family Court, Dindigul and transfer the same to the file of any one of the Family Courts at Chennai.

2. Learned Counsel appearing for the petitioner submitted that when the matter was taken up on the last hearing date, this Court has directed the parties to settle the matter amicably through Mediation. Accordingly, when the parties approached the Mediation, no compromise was reached due to the adamant attitude of the husband. Therefore, there is no other go for the petitioner to insist her prayer as the distance between the Dindigul and Chennai is more than 300 kms. Further, since the petitioner is residing with her mother who is a servant maid in Chennai, it is difficult to undertake a long journey from Chennai to Dindigul to attend the court hearings.

3. There is no representation on behalf of the respondent husband today. The Mediation Report dated 12.4.2019 stating no agreement was reached between the parties was received.

4. In view of all the above, this Court, taking note of the fact that the distance between Dindigul and Chennai is more than 300 kms. and the fact that the petitioner's mother is a housemaid in Chennai, no hesitation to accept the prayer of the petitioner. Accordingly, the HMOP.No.217/2018 pending on the file of the Family Court, Dindigul is withdrawn and the same is transferred to anyone of the Family Court at Chennai, who in turn, directed to take up and dispose of the matter as expeditiously as possible.

5. With the above direction, the Transfer Civil Miscellaneous Petition is allowed. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar(Insp.Cell)

//True Copy//

Sub Assistant Registrar

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To

1. The Judge, Family Court, Dindigul.

2. The Principal Judge, Family Court, Chennai.

+1 cc o M/s.R.Sathya Bama, Advocate, Sr.No. 53952

Tr.CMP.No.952 of 2018

NMI (CO)
CSL/01.08.2019

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