



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 20.11.2019

CORAM :

THE HONOURABLE MS.JUSTICE **P.T.ASHA**

Tr.C.M.P(MD)No.411 of 2019

and C.M.P. (MD) No.9596 of 2019

... Petitioner/Respondent

Vs.

... Respondent/Petitioner

V.Uthaiyan

PRAYER: Transfer Civil Miscellaneous Petition is filed under Section 24 of Civil Procedure Code to withdraw H.M.O.P.NO.167 of 2019 pending on the file of the Family Court, Sivagangai to transfer to the file of Family Court, Chennai.

For Petitioner : Mr.R.Rajamohan

For Respondent : Mr.S.vinothkumar

J U D G M E N T

This Transfer Civil Miscellaneous Petition has been filed by the wife seeking transfer of the proceedings pending before the Family Court, Sivagangai, in H.M.O.P.NO.167 of 2019 to the file of the Family Court, Chennai.

2. Transfer is sought on the ground that the petitioner is a Staff Nurse engaged in services of Government Medical College at Chennai and her minor daughter is living with her. Since H.M.O.P No. 167 of 2019 is pending before the Family Court, her presence for every hearing is required.

3. This petition is opposed by the learned counsel appearing for the respondent.

4. Heard the learned counsels and perused the papers.

5.Considering the fact that the petitioner is working as Staff Nurse at Chennai, it is not possible for her to attend every hearing before the Family Court, Sivagangai. Considering the nature of her work, this Court is inclined to allow this Transfer Civil Miscellaneous Petition.

6. This Court is therefore issuing following directions:

- i) The learned Judge, Family Court, Sivagangai is directed to transmit the entire records in H.M.O.P.NO.167 of 2019 to the file of the Family Court, Chennai, within a period of two weeks from the date of receipt of copy of this order.
- ii) the learned Judge, Family Court, Chennai, after obtaining the records on transfer, is directed to dispose of the same as expeditiously as possible in accordance with law.



WEB COPY

Tr.C.M.P(MD)No.411 of 2019

7. In the result, this transfer civil miscellaneous petition is allowed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (AD-I)

// True Copy //

Sub Assistant Registrar(CS)

CM

To,

- 1.The Family Court, Sivagangai
- 2.The Family Court, Chennai.

+1 CC to M/s.R. RAJAMOHAN, Advocate (SR-100266[F] dated 21/11/2019)

Tr.C.M.P(MD)No.411 of 2019
and C.M.P. (MD) No.9596 of 2019
20.11.2019

SMA/18/12/19/2P/4C