

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.02.2020

CORAM:

THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN

Transfer C.M.P.No.81 of 2020

Thaiyalnayagi

...Petitioner

vs.

Sujendhar

...Respondent

Tr.C.M.P. filed under Section 24 of C.P.C., to withdraw H.M.O.P.No.355 of 2019 from the file of the Sub Court, Tambaram and transfer the same to the file of the Family Court, Ariyalur, Ariyalur District.

For Petitioner : Mr.C.Sivakumar

O R D E R

Petitioner/wife has come up with this Petition seeking transfer of H.M.O.P.No.355 of 2019 from the file of the Sub Court, Tambaram to the file of the Family Court, Ariyalur, on the only ground that, she cannot travel all the way from Ariyalur to Chennai, along with her two children.

2. It is represented that, the marriage between the parties took place on 11.11.2007, and through the wedlock, they have a male child studying fourth standard and a female child, aged 2 ½ years.

3. Admittedly, the Petitioner/wife is represented by a Lawyer before the Sub Court at Tambaram. Presence of the parties before the Court below is required only for examination in chief and during cross-examination. On other hearing dates, it is suffice, if the parties are represented by Lawyers. Furthermore, children of tender age need not be unnecessarily dragged to the Family Court and witness unhygienic circumstances prevailing there. Hence, this Court is not inclined to allow this Petition.

4. Accordingly, the Transfer Civil Miscellaneous Petition is dismissed. No costs. Consequently, connected C.M.P.No.2676 of 2020 is closed.

Sd/-
Assistant Registrar (CS-VIII)

//True Copy//

Sub Assistant Registrar

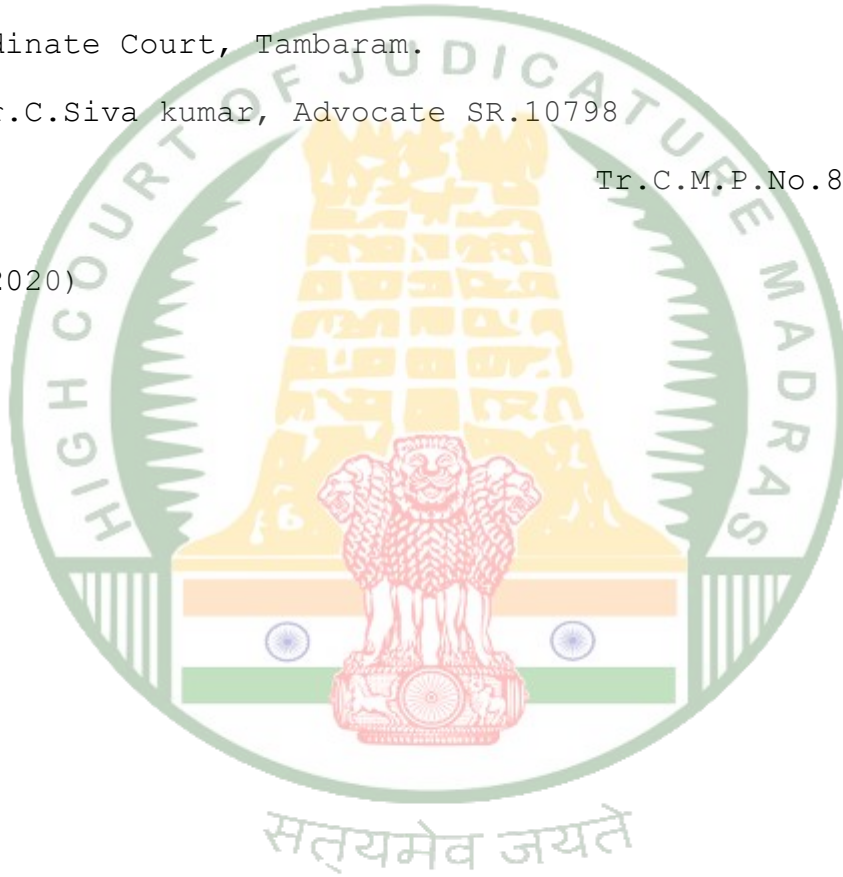
(aeb)

To :
The Subordinate Court, Tambaram.

+1cc to Mr.C.Siva kumar, Advocate SR.10798

Tr.C.M.P.No.81 of 2020

PVS (CO)
CB (04/03/2020)



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