

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.01.2020

CORAM:

THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN

Transfer C.M.P.No.47 of 2020

Elavarasi

...Petitioner

vs.

Jayaprakash

...Respondent

Tr.C.M.P. filed under Section 24 of C.P.C., to withdraw H.M.O.P.No.126 of 2019 pending on the file of the Sub Court, Cheyyar and to transfer the same to the file of Family Court, Dharmapuri.

For Petitioner : Mr.V.Sakkarapani

O R D E R

The Petitioner, who is presently residing at Dharmapuri, has come up with this Petition seeking transfer of H.M.O.P.No.126 of 2019 from the file of the Sub Court, Cheyyar to the file of the Family Court, Dharmapuri, on the only ground that, she cannot all the way travel from Dharmapuri to Cheyyar along with her 1 ½ year old child.

2. Admittedly, marriage between the parties took place at Cheyyar. In Family Court matters, presence of the parties is required only for tendering evidence during examination-in-chief and during cross-examination of witnesses on the other side. On other dates of hearing, it is suffice if the parties are represented by Lawyers to proceed with the case.

3. As reasons stated by the Petitioner for transfer of the proceedings from Cheyyar to Dharmapuri are not germane, the relief sought by her cannot be granted.

4. The Sub Court, Cheyyar is expected to conclude the trial in H.M.O.P.No.126 of 2019, as expeditiously as possible, without adjourning the matter beyond 30 working days at any point of time, to bring the issue to a logical end.

5. The Transfer Civil Miscellaneous Petition is dismissed

with the above observation. No costs. Consequently, connected C.M.P.No.1433 of 2020 is closed.

Sd/-

Assistant Registrar (CS-I)

//True Copy//

Sub Assistant Registrar

(aeb)

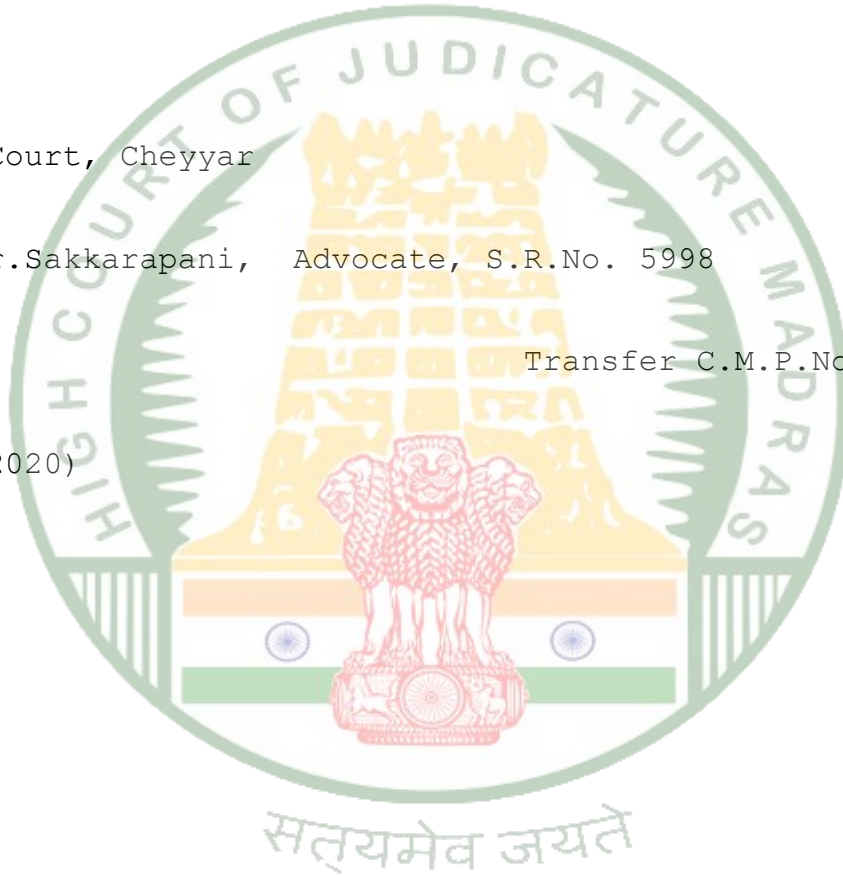
To :

The Sub Court, Cheyyar

+1cc to Mr.Sakkarapani, Advocate, S.R.No. 5998

Transfer C.M.P.No.47 of 2020

RK (CO)
GN (09/03/2020)



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