

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 24.09.2020
CORAM
THE HONOURABLE MR.JUSTICE T.RAJA
Tr.C.M.P.No.412 of 2020
&
CMP.No.7733 of 2020

Mrs.S.Vanitha

.. Petitioner

Versus

Mr.S.Ananda Narayanan

.. Respondent

Prayer: Petition has been filed under Section 24 of the Civil Procedure Code praying to withdraw H.M.O.P.No.7 of 2020 pending on the file of learned Principal Subordinate Court, Chengalpattu, and to transfer the same to the file of learned Subordinate Court, Tiruvannamalai.

For Petitioner : Mr.C.R.Malarvannan

For Respondent : Mr.V.Suriya Sankar

O R D E R

Heard the parties through Video Conferencing due to COVID-19 pandemic.

2. Mrs.S.Vanitha/petitioner herein, wife of Mr.S.Anand Narayanan/respondent herein, has filed this Transfer Civil Miscellaneous Petition seeking to transfer H.M.O.P.No.7 of 2020 from the file of learned Principal Sub-Court, Chengalpattu, to the file of learned Sub-Court, Tiruvannamalai. The above said HMOP was filed by the respondent/husband seeking for divorce.

3. Learned counsel for the petitioner/wife submitted that the marriage between the petitioner and the respondent was solemnized on 19.02.2018 at Madhvi Paneerselvam Kalyana Mahal, Thiruvannamalai, as per Hindu Rites and Customs. At the time of marriage, the respondent/husband was working in CTS Company and the petitioner/wife was studying MBA in REVA University, Bangalore. Out of the said wedlock, they were blessed with a female child on 18.03.2019. However, after the birth of child, due to difference of opinion between the petitioner and the respondent, the petitioner/wife left the matrimonial home on 28.09.2019. Whiles, all of a sudden, the respondent/husband has filed H.M.O.P.No.7 of 2020 on the file of learned Principal

Sub-Court, Chengalpattu, seeking for divorce. It is further submitted that as the petitioner is residing at Tiruvannamalai along with her one year old female child and her aged parents, it is not feasible for her to undertake a long journey from Thiruvnnamalai to Chengalpattu, which is more than 130 kms., to attend each and every hearing, that too, at this difficult time due to COVID-19 pandemic. On this basis, learned counsel prayed for transferring the case filed by the husband to the file of learned Sub-Court, Tiruvannamalai.

4. I fully agree with the above said submission. Firstly, the petitioner/wife is having the custody of her one year old female child. Secondly, she is residing at Tiruvannamalai and it will be difficult for her to undertake long journey of more than 130 kms. to Chengalpattu to attend each and every hearing at this difficult time due to COVID-19 pandemic. Therefore, considering the balance of convenience in favour of wife, H.M.O.P.No.7 of 2020 filed by the husband is withdrawn from the file of learned Principal Sub-Court, Chengalpattu, consequently, transferred to the file of learned Sub-Court, Tiruvannamalai. Besides, taking note of prevailing circumstances of COVID-19 pandemic all over the world, the parties are permitted to attend the proceedings virtually and accordingly, they are directed to furnish a list of witnesses and on receipt of the same, learned Sub-Court, Tiruvannamalai, shall make an arrangement for Virtual Court Proceedings and dispose of the same in the manner known to law as expeditiously as possible. With the above direction, this Transfer Civil Miscellaneous Petition is allowed. Consequently, connected CMP.No.7733 of 2020 is closed.

Sd/-
Asst.Registrar (CS VII)

/true copy/

Sub Asst. Registrar

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To

- 1.The Sub-Court, Tiruvannamalai.
- 2.The Principal Sub-Court, Chengalpattu.

Tr.C.M.P.No.412 of 2020

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