

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.11.2020

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

Tr.C.M.P.No.463 of 2020

K.Gomathi . . . Petitioner/Respondent

-VS-

G.Ganesh . . . Respondent/Petitioner

Transfer Civil Miscellaneous Petition filed under Section 24 of the Civil Procedure Code, to withdraw the H.M.O.P.No.54 of 2019 on the file of Sub Court, Vaniyambadi and transfer the same to any other competent Principal Family Courts at Chennai.

For Petitioner :: Mr.M.Ravindhar

For Respondent :: No appearance

ORDER

Heard learned counsel for the petitioner through video conferencing due to the Covid-19 pandemic.

2. This transfer civil miscellaneous petition has been filed by Mrs.K.Gomathi seeking an order to withdraw the H.M.O.P.No.54 of 2019 from the file of the Sub Court, Vamiyambadi and transfer the same to any one of the Family Courts at Chennai.

3. Having heard the learned counsel appearing for the petitioner, although notice was effected on the respondent, he has not chosen to represent his case. That shows that he has no objection for allowing the transfer civil miscellaneous petition. Secondly, after the solemnization of marriage on 24.1.2007 between the parties at Om Sakthi Thirumana Mandapam, S.K.Road, Ambur, as per the Hindu rites and customs, they were blessed with a female child on 8.11.2007 by name G.Sai Ramya, who is now studying in VIII standard at Godson Public School at Chennai and she is also under the care and custody of the petitioner. Thirdly, the petitioner is working as a delivery woman in the Postal Department in Chennai, therefore, it will be

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difficult to undertake a long journey of about 300 Kms., from Chennai to Vaniyambadi. Since the respondent/husband has filed the H.M.O.P.No.54 of 2019 on the file of the Sub Court, Vaniyambadi for divorce on the false ground of cruelty, the petitioner wants to contest the case. Therefore, this Court, accepting the balance of convenience in favour of the petitioner, allows the transfer civil miscellaneous petition and the H.M.O.P.No.54 of 2019 is withdrawn from the file of the Sub Court, Vaniyambadi and transferred to the file of the Principal Family Court, Chennai for disposal on merits and in accordance with law, expeditiously. Consequently, C.M.P.No.11084 of 2020 is closed.

Sd/-

Assistant Registrar(CS-VII)

//True Copy//

Sub Assistant Registrar

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To

1. The Subordinate Judge
Vaniyambadi
Vellore District
2. The Principal Family Court Judge
Chennai.

+1cc to Mr.Ravindhar, Advocate SR.36192

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AD(CO)
CB(07/12/2020)

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