

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.12.2020

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

Tr. C.M.P. No.486 of 2020 and
CMP.No.12026/2020

Anitha ... Petitioner

-vs-

Natanasivam ... Respondent

Prayer: Petition filed under Section 24 of C.P.C to withdraw F.C.H.M.O.P.No.225 of 2020 from the file of the Family Court Judge, Ariyalur and transfer the same to the file of the learned Subordinate Judge, Kumbakonam.

For Petitioner : Mr.A.Muthukumar

For Respondent : Mr.A.Murugan

O R D E R

The Transfer C.M.P. has been filed seeking to withdraw F.C.H.M.O.P.No.225 of 2020 from the file of the Family Court Judge, Ariyalur and transfer the same to the file of the learned Subordinate Judge, Kumbakonam.

2. Learned Counsel for the petitioner-wife submitted that after the solemnization of the marriage on 2.11.2014 at Sri Meera Mahal, Kuruvallappankoil, as per the Hindu rites and customs, in the presence of the family members of both the families, the petitioner and the respondent were living happily and out of the said wedlock they were also blessed with a female child, who is now 5 years old and under the care and custody of the petitioner mother. Now the husband is living and working in United Arab Emirates. But due to various differences of opinions crept in between them, the respondent husband deserted the petitioner wife and subsequently, he has filed FCHMOP.No.225/2020 on the file of the Family Court, Ariyalur seeking divorce on the ground of cruelty. As the Sub-Court, Ariyalur is about 90 kms. from Thirunageswaram where the petitioner and her minor female child are living, she has been advised to come to this Court seeking transfer of the FCHMOP.No.225/2020 on the file of the Family Court Judge, Ariyalur to the file of the learned Subordinate Judge, Kumbakonam.

3. When some reasons have been cited for transfer of the FCHMOP.No.225/2020 from the file of the learned Judge, Family Court, Ariyalur to the file of the learned Subordinate Judge, Kumbakonam by the petitioner wife, namely, since she is only taking care of her female child who is now 5 years old and going to school, she will not be able to undertake a long journey of 90 kms. from her place at Thirunageswaram to Ariyalur, learned Counsel for the respondent-husband fairly considering the said grounds stated before me that he has no objection for allowing the present Transfer CMP.

4. Recording the statement of the learned Counsel for the respondent husband, the FCHMOP.No.225/2020 pending on the file of the learned Judge, Family Court, Ariyalur is withdrawn and the same is transferred to the file of the learned Subordinate Judge, Kumbakonam who, on transfer, is directed to take up the matter and give a disposal expeditiously.

5. With the above observation and direction, the Transfer Civil Miscellaneous Petition is allowed. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

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To

1. The Judge, Family Court, Ariyalur.
2. The Subordinate Judge, Kumbakonam.

+1cc to Mr. A.Muthukumar, Advocate, S.R.No. 39429

+1cc to Mr.A.Murugan, Advocate, S.R.No. 39667

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Tr. C.M.P. No.486/2020

AD(CO)
GN(29/12/2020)