

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.02.2020

CORAM:

THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN

TR.C.M.P.No.471 of 2019
and
C.M.P.No.13272 of 2019

V.Rajeswari ... Petitioner/Respondent

-vs-

M.Rajesh ... Respondent/Petitioner

Prayer: Petition filed under Section 24 of C.P.C. to withdraw F.C.O.P.No.1955 of 2019 on the file of the Principal Judge, Family Court, Chennai and transfer the same to the Sub Court, Dharapuram to try along with H.M.O.P.No.50 of 2019.

For Petitioner : Mr.N.Manokaran

For Respondent : Mr.S.Nagarajan

O R D E R

This petition has been filed to transfer the case in F.C.O.P.No.1955 of 2019 pending on the file of the learned Principal Judge, Family Court, Chennai to the file of the Sub Court, Dharapuram to try along with H.M.O.P.No.50 of 2019.

2. The learned counsel for the petitioner has submitted that the petitioner / wife has no source of income and she finds it difficult to travel from Dharapuram to Chennai for every hearing and therefore, the case may be transferred to the Sub Court, Dharapuram to try along with H.M.O.P.No.50 of 2019.

3. It is represented by the learned counsel for the respondent / husband that the respondent has no objection in transferring the case to the Family Court, Erode instead of Sub Court, Dharapuram. A request was also made by the respondent to transfer the case in H.M.O.P.No.50 of 2019 pending on the file of the Sub Court, Dharapuram to the Family Court, Erode for

joint trial. The petitioner has also consented for transfer of both cases to the Family Court, Erode.

4. In view of the above submissions, by invoking the provisions of Section 24 of C.P.C., the Transfer Civil Miscellaneous Petition is disposed of, with a direction to the Principal Family Court, Chennai as well as the Subordinate Court, Dharapuram to transfer the respective cases in F.C.O.P.No.1955 of 2019 and H.M.O.P.No.50 of 2019 to the file of Family Court, Erode, within a period of two weeks from the date of receipt of a copy of this order. After transfer of both cases, the Family Court, Erode is directed to take up both the cases in F.C.O.P.No.1955 of 2019 and H.M.O.P.No.50 of 2019 jointly and proceed with the same, without adjourning the matter beyond 30 working days at any point of time and bring the issues to a logical end as expeditiously as possible. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

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To

- 1.The Principal Judge,
Family Court,
Chennai.
- 2.The Judge,
Family Court
Erode.
- 3.The Subordinate Judge,
Dharapuram.

+1 cc to M/s.N.Manokaran, Advocate, S.R.No.8831

Tr.C.M.P.No.471 of 2019

BP (CO)
RN (21/05/2020)
RN (22/07/2020)