

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.01.2020

CORAM:

THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN

Transfer C.M.P.No.884 of 2019

Sasi Rekha

...Petitioner/Respondent

vs.

P.Mohan Kumar

...Respondent/Petitioner

Tr.C.M.P. filed under Section 24 of C.P.C., to withdraw the Divorce Petition in H.M.O.P.No.464 of 2019 from the file of the Family Court at Salem to the file of the Subordinate Court at Maduranthagam, Kancheepuram.

For Petitioner : Mr.M.Rajasekhar

For Respondent : Mr.J.Prithivi,
for Mr.S.Kaithamalai Kumaran

O R D E R

The Petitioner/wife has come up with this Petition seeking to withdraw the Divorce Petition filed by the Respondent/husband in H.M.O.P.No.464 of 2019 from the file of the Family Court at Salem to the file of the Subordinate Court at Maduranthagam, Kancheepuram District.

2. When the matter was taken up on the last occasion, learned counsel for the parties sought time to ascertain from the parties as to whether the matter could be transferred to the Family Court at Tambaram.

3. Today, it is represented that the post of Family Court Judge at Tambaram is vacant, and that, the Judge of the Family Court, Chengalpattu is given additional charge of the Family Court, Tambaram, and he is taking up urgent cases for hearing at the Family Court, Tambaram, once in a week.

4. Learned counsel for the Petitioner submitted that the Petitioner/wife has no objection for the Respondent/husband in visiting their children on the first Saturday of every month, to enable him spend time with them, and further, she has no objection for the Respondent to represent his case by a Lawyer before the Court below.

5. Taking note of the submissions of the learned counsel for the parties, as the parties are represented by

Lawyers before the Court below, and that their appearance is required only for tendering evidence, the Divorce Petition in H.M.O.P.No.464 of 2019 is withdrawn from the file of the Family Court at Salem to the file of the Family Court at Chengalpattu. The Family Court, Chengalpattu is expected to conclude the trial in H.M.O.P.No.464 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.

6. As agreed by the Petitioner/wife, the Respondent/husband is permitted to visit his children on the first Saturday of every month, and spend time with them.

7. The Transfer Civil Miscellaneous Petition is disposed of with the above direction. No costs. Consequently, connected C.M.P.No.24306 of 2019 is closed.

Sd/-

Assistant Registrar (CS-VI)

//True Copy//

Sub Assistant Registrar

(jas/aeb)

To :

1.The Judge,
The Family Court, Salem.

2.The Judge,
The Family Court,
Kancheepuram.

+1cc to Mr.M.Raja Sekhar, Advocate, S.R.No. 412
+1cc to Mr.A.K.Kumarasamy, Advocate, S.R.No. 263

Tr.C.M.P.No.884 of 2019

BR(CO)
GN(11/02/2020)