

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.01.2020

CORAM:

THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN

Transfer C.M.P.No.880 of 2019 and
C.M.P. No.24178 of 2019

V.B.Sunandha

...Petitioner

vs.

P.Jagadish

...Respondent

Tr.C.M.P. filed under Section 24 of C.P.C., to withdraw H.M.O.P.No.156 of 2019 pending on the file of the Sub Court, Usilampatti and transfer the same to the file of Family Court, Chennai

For Petitioner : Mr.V.T.Narendiran

For Respondent : Mr.N.Mahendra Babu

O R D E R

The Petitioner, who is residing at Chennai, has come up with this Petition seeking transfer of H.M.O.P.No.156 of 2019 from the file of Sub Court, Usilampatti to the file of the Family Court, Chennai.

2. According to the Petitioner, it would be very difficult for her to travel more than 500 Kms along with her 2 years old child to attend the court proceedings in H.M.O.P.No.156 of 2019 on the file of Subordinate Court, Usilampatti,

3. Learned counsel appearing for the Respondent submitted that, the Respondent has no objection to transfer the proceedings in H.M.O.P.No.156 of 2019 from the file of the Sub Court, Usilampatti, to the file of Family Court, Chennai.

4. Learned counsel for the respondent fairly submitted that the, respondent herein/father of the child, is willing to pay a sum of Rs.3,000/- per month to the child, without prejudice to the rights of the wife to claim a further maintenance depending upon the earning capacity of the husband/respondent and in case any application for maintenance is filed by the wife, the amount ordered by this court, shall be adjusted, if any further enhancement of monthly maintenance is awarded by the court.

5. Recording the submissions made by the learned counsel appearing for the Respondent, the proceedings in H.M.O.P.No.156 of 2019 is transferred from the file of the Sub Court, Usilampatti to the file of the Family Court, Chennai. The Family Court, Chennai, is expected to conclude the trial, as expeditiously as possible, without adjourning the matter beyond 45 working days at any point of time, to bring the issue to a logical end.

6. The Transfer Civil Miscellaneous Petition is allowed as indicated above. No costs. Consequently, connected C.M.P.No.24178 of 2019 is closed.

Sd/-
Assistant Registrar(CO)

//True copy//

Sub Assistant Registrar

(Asr)

To :

1) The Family Court, Chennai

2) The Subordinate Court, Usilampatti

+1cc to Mr.N.Mahendra Babu, Advocate SR.No.5629

+1cc to Mr.P.Sunil, Advocate SR.No.6073

Tr.C.M.P.No.880 of 2019 and
C.M.P. No.24178 of 2019

RK(CO)
GMY (28/02/2020)

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