

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 12.02.2020
CORAM:

THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN

Transfer C.M.P.No.1048 of 2019
and C.M.P. No.27882 of 2019

V.Roopa

...Petitioner

vs.

D.Sekar Babu

...Respondent

Tr.C.M.P. filed under Section 24 of C.P.C., to withdraw O.P. No.1033 of 2019 from the file of learned II Additional Judge, Family Court, Chennai and transfer the same to the Family Court, Madurai.

For Petitioner : Mr.S.Rajeswaran
For Respondent : J.Jayabalan

O R D E R

It is represented that the petitioner has been set ex-parte on 14.12.2019. To wriggle out of the situation, the petitioner cannot approach this court to get O.P. No.1033 of 2019 transferred without filing a petition to get the OP restored. Since the petitioner has been set ex-parte by the lower court, this court is not inclined to transfer O.P. No.1033 of 2019 from the file of learned II Additional Judge, Family Court, Chennai and transfer the same to the Family Court, Madurai. It is open to the petitioner to file a fresh application, in case the OP is restored and at that time, the transfer civil miscellaneous petition, may be considered, in accordance with law.

2. The Transfer Civil Miscellaneous Petition is closed with the above observation. No costs. Consequently, the connected C.M.P.No.27882 of 2019 is also closed.

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Sd/-

Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

Asr

To :

The II Additional Judge, Family Court, Chennai
2.The Family Court,Maduarai.

Tr.C.M.P.No.1048 of 2019 and
C.M.P. No.27882 of 2019