

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.02.2020

CORAM:

THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN

TR.C.M.P.No.992 of 2019
and C.M.P.No.26482 of 2019

K.Manimegalai

... Petitioner

-vs-

C.Kumaraguru

... Respondent

Prayer: Petition is filed under Section 24 of C.P.C. to withdraw the O.P.No.624 of 2019 on the file of the Subordinate Court, Poonamallee and transfer the same to the file of the Subordinate Court, Ranipet and tried in accordance with law.

For Petitioner : Mr.T.Muruganantham

For Respondent : Mr.T.N.Rajagopalan

ORDER

This petition has been filed to transfer the case in O.P.No.624 of 2019 pending on the file of the Subordinate Court, Poonamallee to the file of the Subordinate Court, Ranipet.

2. The learned counsel for the petitioner has submitted that the petitioner / wife has to travel from Walajahpet, Vellore to attend the hearings in O.P.No.624 of 2019 filed by the husband for divorce before the Subordinate Court, Poonamallee, which is very far off and therefore, the case may be transferred to a nearby Court, namely, any Court at Kancheepuram.

3. It is represented by the learned counsel for the respondent / husband that children are with the respondent and they are refusing to go with the petitioner / mother. It is also represented that in order to harass both the husband and children, the present petition has been filed to transfer the case. However, learned counsel for the Respondent submitted that the Respondent has no objection to transfer the proceedings in

O.P.No.624 of 2019 from the file of the Subordinate Court, Poonamallee to the file of the Subordinate Court, Kancheepuram.

4. Heard the learned counsel for the parties.

5. Recording the submission made by the learned counsel appearing for the Respondent, the Transfer Civil Miscellaneous Petition is disposed of, with a direction to the Subordinate Court, Poonamallee to transfer the case in O.P.No.624 of 2019 to the file of the Subordinate Court, Kancheepuram, within a period of two weeks from the date of receipt of a copy of this order. On such transfer, the Transferee Court, namely, the Subordinate Judge, Kancheepuram is directed to take up the case in O.P.No.624 of 2019 and proceed with the same, without adjourning the matter beyond 30 working days at any point of time and bring the issue 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 Subordinate Judge,
Poonamallee.
2. The Subordinate Judge,
Kancheepuram.

+1cc to Mr.T.Muruganantham, Advocate, Sr.No.9072

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Tr.C.M.P.No.992 of 2019

MP (CO)
GS (27/05/2020)