



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.08.2021

CORAM:

THE HONOURABLE MR.JUSTICE A.A.NAKKIRAN

Tr.C.M.P.No.418 of 2021

R.Sakthivel

.. Petitioner

Vs.

N.Jeyasudha

.. Respondent

Prayer: This Petition filed under Section 24 of the Code of Civil Procedure seeking to withdraw the case in H.M.O.P.No.1 of 2020, pending on the file of the Sub Court, Krishnagiri and transfer the same to the file of Family Court, Krishnagiri.

For Petitioner : Mr.N.Chinnaraj

For Respondent : No appearance

O R D E R

(The case has been heard through video conference)

The present Transfer Civil Miscellaneous Petition is filed to withdraw the H.M.O.P.No.1 of 2020 on the file of the Subordinate Court, Krishnagiri and transfer the same to the file of the Family Court, Krishnagiri.

2. The learned counsel for the petitioner/husband submitted that earlier the petitioner filed H.M.O.P.No.100 of 2018 before the Sub Court, Gobichettipalayam for divorce. Subsequently, the respondent/wife herein filed a transfer petition in Tr.C.M.P.No.596 of 2019, before this Court seeking transfer of the case from Sub Court, Gobichettipalayam to the Sub Court, Krishnagiri on the ground of convenience. This Court vide order dated 14.11.2019, allowed the said transfer petition and transferred the H.M.O.P.No.100 of 2018 from the file of the Sub Court, Gobichettipalayam to the file of the Sub Court, Krishnagiri. Consequently, the said case was transferred to the Sub Court, Krishnagiri and re-numbered as H.M.O.P.No.1 of 2020. The grievance of the petitioner/husband is that he attended several hearings before the Sub Court, Krishnagiri, but so far no progress has been made in the case. Hence, he seeks transfer



of the case from Subordinate Court, Krishnangiri to Family Court, Krishnangiri, which is also situated in the very same Court complex, for early disposal.

3. Heard the learned counsel appearing for the petitioner/husband and perused the records carefully. There is no representation for the respondent/wife.

4. Considering the facts and circumstances of the case, the submission made by the learned counsel appearing for the petitioner and the affidavit filed in support of this petition, this Court is not inclined to transfer the case from Sub Court, Krishnangiri to Family Court, Krishnangiri instead direct the learned Subordinate Judge, Krishnangiri to dispose of the case in H.M.O.P.No.1 of 2020 on merits and in accordance with law within a period of three months from the date of receipt of a copy of this order.

5. In fine, this Transfer Civil Miscellaneous Petition is disposed of with the above direction. No costs.

Sd/-
Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

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To

1. The Subordinate Judge,
The Subordinate Court, Krishnangiri.
2. The Judge, Family Court, Krishnangiri.

Tr.C.M.P.No.418 of 2021

BR(CO)
CT(29/09/2021)