

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.03.2021

CORAM

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

Tr.C.M.P.No.129 of 2021
and
C.M.P.No.3952 of 2021

N.Aafra Farzana

Petitioner

vs.

M.Khwaajaa Moinuddin

.. Respondent

PRAYER : Transfer CMP is filed under Section 24 of the Civil Procedure Code, to withdraw and transfer O.S.No.01/2021 on the file of Family Court, Dharmapuri to the file of Sub Court, Tambaram.

For Petitioner : Mr.N.A.Nissar Ahmed

For Respondent : Mr.S.Viswanathan

For M/s.Dass Viswa and Associates

O R D E R

The petition for transfer is filed to transfer O.S.No.01 of 2021 from the Family Court, Dharmapuri to the Sub Court, Tambaram.

2. The marriage between the petitioner and the respondent was solemnized on 20.01.2019 as per the Islamic Shariat. The petitioner states that she was deserted and driven out from the Matrimonial home on 28.05.2019 and living separately along with her parents.

3. The learned counsel appearing on behalf of the petitioner states that the respondent/husband is also working at Chennai and more specifically in Cognizant, Sholinganallur. He was working as Senior Associate.

4. The learned counsel appearing on behalf of the respondent has no serious objection for transferring of the

case to the Family Court, Chennai, in view of the fact that the respondent is also working. However, he says that Tambaram Court, may not be convenient for the respondent.

5. This Court is of an opinion that the respondent is also working at Sholinganallur, which is nearby to Tambaram. Further, the petitioner is also residing at Selaiyur and this being the factum, the Court at Tambaram would be convenient to both the parties.

6. This being the factum, this Transfer Civil Miscellaneous Petition No.129 of 2021 stands allowed and O.S.No.01 of 2021 pending on the file of the Family Court, Dharmapuri, is directed to be transferred to the Sub Court, Tambaram. However, there shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS-IV)

//True Copy//

Sub Assistant Registrar

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To

1.The Judge,
Family Court, Dharmapuri.

2.The Subordinate Judge,
Tambaram.

+1cc to Mr.N.A.Nissar Ahmed, Advocate, S.R.No.19996

+1cc to M/s.Dass & Viswa Associates, Advocate, S.R.No.19872

Tr.CMP No.129 of 2021

PM(CO)

CB(27/04/2021)

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