



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.12.2021

CORAM:

THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN

Tr.CMP.No.95 of 2021

K.Kamali @ Kamalaveni

..Petitioner

Vs.

K.Madan @ Madan Prakash

..Respondent

Prayer: Transfer civil miscellaneous petition filed under Section 24 of C.P.C., seeking to withdraw HMOP.No.707 of 2015 from the file of the Principal Family Court, Chennai and transfer the same to the file of the Family Court, Karaikal.

For Petitioner : Mr.Kumaraguru for

Mr.T.Saikrishnan

For Respondent : Mr.M.Govindaraju

O R D E R

The petitioner / wife seeks transfer of HMOP.No.707 of 2015 from the file of the Principal Family Court, Chennai to the Family Court, Karaikal. Transfer is sought for mainly on the ground of convenience, since the wife is a resident of Karaikal.

2.The transfer is opposed by the husband contending that the wife was actually working in Chennai and because of the claim of the husband that the wife is at Chennai, the original petition, which was pending before the Sub-Court, Kancheepuram was transferred to the Principal Family Court, Chennai by this Court in Tr.CMP.No.487 of 2014.

3.The learned counsel appearing for the husband would also point out that the original petition is in advanced stage and it is posted for cross-examination of RW1. The learned counsel would submit that he needs only two hearings to complete the evidence. Therefore, I do not think the request for transfer is just. Hence, this transfer civil miscellaneous petition is dismissed. No costs.



4.It is stated that the HMOP is posted for cross-examination on 20.01.2022. The Principal Family Court, Chennai is required to complete the cross-examination of the petitioner / wife on or before 04.02.2022. The Principal Family Court will close the evidence on 04.02.2022. It is made clear no request for re-opening the evidence will be allowed. The learned counsel appearing for the wife, who is the respondent in the HMOP would submit that she has no other witness to examine. The Family Court shall hear the arguments of the parties and dispose of HMOP.No.707 of 2015 postiviely by 11.03.2022. The above timeline shall be strictly adhered to.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

kkn

To:-

The Principal Family Court,
Chennai.

+1 CC to Mr.T.Saikrishnan, Advocate sr 67208

+1 CC to Mr.M.Govindaraju, Advocate sr 66893.

Tr.CMP.No.95 of 2021

RSV(CO)
SP(04/01/2022)