



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :02.08.2021

CORAM:

THE HONOURABLE MR.JUSTICE A.A.NAKKIRAN

Tr.C.M.P.No.165 of 2021

and

CMP.No.4933 of 2021

M.Vigninagananthini

... Petitioner

-vs-

S. Senthil Nathan

... Respondent

PRAYER: Transfer Civil Miscellaneous Petition is filed under Section 24 of the Code of Civil Procedure, to withdraw HMOP.No.52 of 2020 on the file of Subordinate Court, Panruti, and transfer the same to the Subordinate Court., Poonamallee.

For Petitioner : Mr.T.Dhanasekar

For Respondent : Mr.K.Prakash

O R D E R

The present Transfer Civil Miscellaneous Petition is filed to withdraw HMOP.No.52 of 2020 on the file of Subordinate Court, Panruti and transfer the same to the Subordinate Court, Poonamallee.

2.The respondent/husband has filed HMOP.No.52 of 2020 before the Subordinate Court, Panruti, for dissolution of marriage.

3. The learned counsel for the petitioner/wife submitted that the petitioner is residing at Chennai which is nearly 185 kms from Panruti and the petitioner's legs are fractured and she is living with her mother. In such circumstances, it is difficult for the petitioner to travel from Chennai to Panruti for attending the Court hearing in H.M.O.P.No.52 of 2020. Hence, she seeks to transfer the case to the file of Sub-Court, Poonamallee.

4. The learned counsel appearing for the respondent has strongly opposed to transfer the case and further submitted that if the court feels to transfer the case, the same may be transferred to Family Court, Chennai.



5. Considering the facts and circumstances of the case and considering the arguments made by both sides, H.MO.P.No.52 of 2020 is withdrawn from the Subordinate Court, Panruti, and transferred to the file of Family Court, Chennai, for disposal as per law. The learned Subordinate Judge, Panruti, is directed to transmit the papers to the file of the Family Court, Chennai, forthwith. The learned Judge, Family Court, Chennai, is directed to dispose of H.M.O.P.No.52 of 2020 on merits and in accordance with law as expeditiously as possible.

6. The personal appearance of both parties before the Family Court, Chennai, is dispensed with, except the dates of hearing, on which, the learned Judge insisted upon the parties to appear before the Court. On other hearing dates, the counsel on behalf of the parties may appear before the court.

7. In fine, this Transfer Civil Miscellaneous Petition is allowed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar (CCC)

//True Copy//

Sub Assistant Registrar

gv

To:

1.The Subordinate Court,
Panruti.

2.The Family Court,
Chennai.

+1cc to M/s.S.Surya Prakash, Advocate, SR No.37550

+1cc to M/s.K.Prakash, Advocate, SR No.37315

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SSV (CO)
PR (19/08/2021)