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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.10.2021

CORAM:

THE HONOURABLE MRS.JUSTICE S.KANNAMMAL

TR.C.M.P.NO.177 OF 2021

AND

C.M.P.NO.5275 OF 2021

[VIDEO CONFERENCING]

J.Gokila

... Petitioner

VS.

R.Srinivasan

... Respondent

Prayer:- This Petition filed under Section 24 of the Code of Civil Procedure, praying to withdraw the H.M.O.P.No.185 of 2019 on the file of the Subordinate Court at Ponneri and to transfer the file of IV Additional Family Court at Chennai.

For Petitioner : Mr.C.Prabakaran

For Respondent : No appearance

ORDER

- 1.The present Transfer Civil Miscellaneous Petition is filed to withdraw the H.M.O.P.No.185 of 2019 on the file of the Subordinate Court at Ponneri and to transfer the file of IV Additional Family Court at Chennai.
- 2.The respondent/husband has filed H.M.O.P.No.185 of 2019 before the Subordinate Court at Ponneri for divorce.
- 3.The learned counsel for the petitioner/wife submitted that the petitioner is residing with her aged parents home at Chennai.



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Since, her parents having physical ailments they are unable to travel to anywhere along with the petitioner and in this circumstances, it is very difficult for the petitioner to travel from Chennai to Ponneri for attending the Court on every hearings in H.M.O.P.No.185 of 2019. Therefore, she seeks to transfer the case from the Subordinate Court at Ponneri to the IV Additional Family Court at Chennai.

- 4.Though notice has been served on the sole respondent and his name is also printed in the cause list, there is no representation for him either in person or through counsel.
- 5.Considering the submissions made by the learned counsel for the petitioner, this Court is inclined to transfer the case to the file of the IV Additional Family Court Chennai.
- 6.Accordingly, H.M.O.P.No.185 of 2019 is withdrawn from the Subordinate Court, Ponneri and transferred to the file of the IV Additional Family Court at Chennai for disposal as per law. The learned Subordinate Judge, Ponneri, is directed to transmit the papers to the file of the learned Judge, IV Additional Family Court, at Chennai, forthwith. The learned Judge, IV Additional Family Court, at Chennai, is directed to dispose of the case in H.M.O.P.No.185 of 2019 on merits and in accordance with law as expeditiously as possible.
- 7.In fine, this Transfer Civil Miscellaneous Petition is allowed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CO)

// True Copy //

Sub Assistant Registrar

gbi

To

1. The Subordinate Judge,
Ponneri.



2. The Judge,
IV Additional Family Court,
Chennai.

WEB COPY +1cc to M/s.C.Prabakaran, Advocate, S.R.No.51113

Tr.C.M.P.No.177 of 2021
and
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RLD(CO)
RLP(22/10/2021)