



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.08.2021

CORAM:

THE HONOURABLE MR.JUSTICE A.A.NAKKIRAN

Tr.C.M.P.No.202 of 2021
and
C.M.P.No.5881 of 2021

[Through video conferencing]

T.Revathy ...Petitioner/Respondent
-vs-

T.Prabu ... Respondent/Petitioner

PRAYER: Transfer Civil Miscellaneous Petition is filed under Section 24 of the Code of Civil Procedure, to withdraw and transfer the H.M.O.P.No.10 of 2021 pending on the file of the Family Court at Perambalur to the Family Court at Chengalpattu.

For Petitioner : Mr.C.Balasundar

For Respondent : Ms.S.C.Sangamithirai

O R D E R

The present Transfer Civil Miscellaneous Petition is filed to withdraw and transfer the H.M.O.P.No.10 of 2021 pending on the file of the Family Court at Perambalur to the file of the Family Court at Chengalpattu.

2.The respondent has filed H.M.O.P.No.10 of 2021 before the Family Court, Perambalur for Divorce.

3. The learned counsel for the petitioner/wife submitted that the petitioner is residing with her brother's family at Cuduvancherry, Chengalpattu which is nearer to the Chengalpattu Family Court. The petitioner is not in a position to meet out the travel expenses and if the petitioner attends the Court hearing at Perambalur, there would be life threat at the hands of the respondent. In such circumstances, it is difficult for the petitioner to travel from Chengalpattu to Perambalur for attending the Court on every hearing in H.M.O.P.No.10 of 2021. Hence, he seeks to transfer the case to the file of Family Court, Chengalpattu.



4.The learned counsel for the respondent/husband has strongly opposed to transfer the case. However, he submitted that if this Court feels to transfer the case, the same may be transferred to any centre place.

5.Considering the arguments made by both sides, this Court feels to transfer the case to the file of Family Court, Chengalpattu.

6. Accordingly, H.M.O.P.No.10 of 2021 is withdrawn from the file of the Family Court, Perambalur and transferred to the file of the Family Court, Chengalpattu, for disposal as per law. The learned Family Judge, Perambalur is directed to transmit the papers to the file of the Family Court, Chengalpattu, forthwith. The learned Judge, Family Court, Chengalpattu, is directed to dispose of H.M.O.P.No.10 of 2021 on merits and in accordance with law as expeditiously as possible.

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

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

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To:

1. The Family Court, Perambalur.
2. The Family Court, Chengalpattu.

Tr.C.M.P.No.202 of 2021
and C.M.P.No.5881 of 2021

K.RK. (17.09.2021)