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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.08.2021

CORAM:

THE HONOURABLE MR.JUSTICE A.A.NAKKIRAN

Tr.C.M.P.No.217 of 2021
and C.M.P.No.6116 of 2021

P.Blessing Shebina .. Petitioner

Vs.

Stantley John C .. Respondent

Prayer: This Petition filed under Section 24 of the Code of Civil Procedure seeking to withdraw the case in F.C.I.D.O.P.No.57 of 2021 pending before the Family Court at Chenglepet and transfer to the Family Court, Chennai.

For Petitioner : Mr.S.Vijayakumar

For Respondent : Dr.S.Padma

O R D E R

(The case has been heard through video conference)

The petitioner, being the wife of the respondent herein, has come up with the present petition seeking to transfer F.C.I.D.O.P.No.57 of 2021, filed by the respondent for divorce, which is pending on the file of the Family Court, Chenglepet to the file of the Family Court, Chennai.

2. The learned counsel appearing for the petitioner submitted that the petitioner is residing at Avadi along with her 6 years old child and she finds it very difficult to travel from Avadi to Chenglepet for attending the Court on every hearings in F.C.I.D.O.P.No.57 of 2021. Therefore, on the ground of convenience, she seeks to transfer the case from the Family Court at Chenglepet to the file of the Family Court at Chennai.

3. Dr.S.Padma, learned counsel appearing for the respondent fairly conceded that this petition may be allowed in terms of the prayer as sought for in this petition. However, she expressed her concern that the petitioner should not be permitted to drag on the proceedings.

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4. Considering the above circumstances, this Court is inclined to withdraw F.C.I.D.O.P.No.57 of 2021 from the file of the Family Court Chenglepet and transfer the same to the file of the Family Court at Chennai. The learned Judge, Family Court, Chenglepet is directed to transmit the papers pertaining to F.C.I.D.O.P.No.57 of 2021 to the file of the Family Court, Chennai, forthwith. The learned Judge, Family Court at Chennai, is directed to dispose of the case in F.C.I.D.O.P.No.57 of 2021 on merits and in accordance with law as expeditiously as possible.

5. 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.

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

Sd/-
Assistant Registrar(CS-V)

//True Copy//

Sub Assistant Registrar

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To

1. The Judge, Family Court, Chenglepet.

2. The Judge, Family Court, Chennai.

+1cc to Mr.S.Vijayakumar, Advocate, S.R.No.38964

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PVS(CO)
RLP(31/08/2021)

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