



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.09.2021

CORAM:

THE HONOURABLE MRS.JUSTICE S.KANNAMMAL

TR.C.M.P.NO.308 OF 2021

AND

C.M.P.NO.7523 OF 2021

[THROUGH VIDEO CONFERENCING]

A.Sindhu ... Petitioner/Respondent

Vs.

Jambulingam ... Respondent/Petitioner

PRAYER: Transfer Civil Miscellaneous Petition is filed under Section 24 of the Code of Civil Procedure, to withdraw the petition in H.M.O.P.No.5 of 2021 on the file of the Sub Court, Ulundurpet and transfer the same to the file of the Family Court, Chennai.

For Petitioner : M/s.Parvin Banu
for Mr.K.C.Karl Marx

For Respondent : Mr.M.Madhu Prakash

O R D E R

The present Transfer Civil Miscellaneous Petition is filed to withdraw the petition in H.M.O.P.No.5 of 2021 on the file of the Sub Court, Ulundurpet and transfer the same to the file of the the Family Court, Chennai.

2.The respondent/husband has filed H.M.O.P.No.5 of 2021 before the Sub Court, Ulundurpet for divorce.

3.The learned counsel for the petitioner/wife would submit that the petitioner is working as Women Constable, at Chennai. He would further submit that since the petitioner is residing in Chennai along with her 2 years old female child, she is unable to travel from Chennai to Ulundurpet for attending the Court on every hearing in H.M.O.P.No.5 of 2021 on the file of the Sub Court at Ulundurpet. Therefore, she seeks to transfer the case in H.M.O.P.No.5 of 2021 from the file of the Sub Court, Ulundurpet to the file of Family Court, Chennai



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

5.Heard the learned counsel on either side and perused the materials available on record.

6.This Court is satisfied with the reasons stated in the affidavit filed in support of this petition. Further, since the petitioner is working as police constable and also residing at Chennai with her 2 years old female child, this Court is inclined to transfer the HMOP No.5 of 2021 from the file of the Sub Court, Ulundurpet, Villupuram to the file of the Family Court, Chennai.

7. Considering the facts and circumstances of the case and considering the submission made by the learned counsel on either side, H.M.O.P.No.5 of 2021, is withdrawn from the file of the Sub Court, Ulundurpet and transferred to the file of the Family Court, Chennai, for disposal as per law. The learned Subordinate Judge, Ulundurpet, is directed to transmit the papers to the Family Court Judge, Chennai, forthwith. The learned Family Court Judge, Chennai, is directed to dispose of the H.M.O.P.No.5 of 2021 on merits and in accordance with law as expeditiously as possible.

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

Sd/-
Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

uma

To:

1. The Sub Court, Ulundurpet
2. The Family Court, Chennai

+1cc to Mr.K.C.Karl Marx, Advocate, S.R.No.44457

Tr.C.M.P.No.308 of 2021
and C.M.P.No.7523 of 2021

CP(CO)
PM/27/09/2021