



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.09.2021

CORAM:

THE HONOURABLE MRS. JUSTICE S.KANNAMMAL

Tr.C.M.P.No.244 of 2021
and
C.M.P.No.6740 of 2021

D.Saranya

... Petitioner

Versus

P. Karthikeyan

... Respondent

PRAYER: Transfer Civil Miscellaneous Petition is filed under Section 24 of the Code of Civil Procedure, to withdraw the H.M.O.P.No.621 of 2020 pending on the file of the Subordinate Court, Poonamallee and transfer the same to the Principal Family Court, Tiruchirapalli.

For Petitioner: Mr. N. Sankaravadivel

For Respondent: Mr. G. Peranban

ORDER

[The Case has been heard through video conference]

The present Transfer Civil Miscellaneous Petition is filed to withdraw the H.M.O.P.No.621 of 2020 pending on the file of the Subordinate Court, Poonamallee and transfer the same to the Principal Family Court, Tiruchirapalli.

2.The respondent/husband has filed H.M.O.P.No.621 of 2020 before the Subordinate Court, Poonamallee, for divorce.

3.The learned counsel for the petitioner/wife submitted that the petitioner is having a child aged about 1 year and she is residing with her aged parents at Tiruchirappalli District. Moreover, she is depending on her aged and sick parents and the petitioner being a lady, it is very difficult for her to travel from Tiruchirappalli to Chennai for attending the Court on every hearing. Therefore, she seeks to transfer the case from Chennai to Tiruchirapalli.



4.The learned counsel for the respondent/husband has strongly opposed to transfer the case from the file of the Subordinate Court, Poonamallee to the file of the Principal Family Court, Tiruchirapalli.

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

6.Considering the facts and circumstances of the case and the submissions made by both the counsel, this Court is inclined to transfer the case to the file of the Principal Family Court, Tiruchirappalli.

7.Accordingly, H.M.O.P.No.621 of 2020 is withdrawn from the file of the Subordinate Court, Poonamallee and transferred to the file of the Principal Family Court, Tiruchirapalli, for disposal as per law. The Subordinate Court, Poonamallee, is directed to transmit the papers to the file of the Principal Family Court, Tiruchirapalli within a period of six weeks from the date of receipt of a copy of this order. The learned Principal Family Judge, Tiruchirapalli is directed to dispose of the case in H.M.O.P.No.621 of 2020 on merits and in accordance with law as expeditiously as possible.

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

Sd/-
Assistant Registrar(CS-VI)

//True Copy//

Sub Assistant Registrar

gbi

To:

1. The Subordinate Judge,
Poonamallee.
2. The Principal Family Judge,
Tiruchirapalli.

+1cc to Mr.N.Sankaravadivel, Advocate, S.R.No.45077

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PCH(CO)
CB(06/10/2021)