



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.06.2021

CORAM:

THE HONOURABLE Mr. JUSTICE S.S.SUNDAR

Tr.C.M.P. No.288 of 2021
and
C.M.P. No.7304 of 2021

Venkateswari @ Preethi

.. Petitioner

Versus

Baskaran

.. Respondent

Transfer Civil Miscellaneous Petition filed under Section 24 of Civil Procedure Code, to withdraw the H.M.O.P. No.109/2020 pending on the file of learned Family Court, Ramanathapuram and transfer the same to the learned Family Court, Tiruvallur.

For Petitioner : Mr. B.Gopalakrishnan

For Respondent : No appearance

O R D E R

Despite notice having been served on respondent as early as on 15.05.2021, no one entered appearance on behalf of the respondent. Since sufficient opportunity has already been given to the respondent, this Court proceeds further to dispose of this petition on the basis of averments made in this petition. The respondent is set ex-parte.

2. This transfer petition is filed to withdraw and transfer H.M.O.P. No.109 of 2020 pending on the file of Family Court, Ramanathapuram to Family Court, Tiruvallur. The petitioner is the wife. The marriage between the petitioner and the respondent husband was solemnized on 04.09.2017. The respondent husband filed a petition for divorce in H.M.O.P. No.109 of 2020 before the Family court, Ramanathapuram.

3. Learned counsel appearing for the petitioner states that the petitioner is residing with her old parents at Thirumullaivoyil. In view of the distance, it is stated that the petitioner has to travel at least 1200 k.m. to attend the hearing at Family Court, Ramanathapuram. Since she is unable to



get any support from her family to travel such a long distance, the petitioner has preferred this transfer petition.

4. Though several allegations are made in the affidavit filed in support of this petition, this Court is of the view that the respondent has nothing to deny the factual averments at least with regard to the prayer for transfer. Since the respondent, by non-appearance, expressed his reluctance to deny any of the allegations, this Court is of the view that the transfer petition can be considered and disposed of on the basis of the averments made by the petitioner with regard to her convenience. Accordingly, H.M.O.P. No.109 of 2020 pending on the file of Family Court, Ramanathapuram is hereby withdrawn and transferred to Family Court, Tiruvallur.

5. This Transfer Civil Miscellaneous Petition is allowed accordingly. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

bkn

To

1.The Judge,
Family Court,
Ramanathapuram

2.The Judge,
Family Court,
Tiruvallur.

+1cc to M/s.B.Gopalakrishnan, Advocate, S.R.No.30053

Tr. C.M.P. No.288 of 2021

SSN(CO)
RVM(23/07/2021)