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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.08.2021

CORAM:

THE HONOURABLE MR.JUSTICE A.A.NAKKIRAN

Tr.C.M.P.No.351 of 2021
and
C.M.P.No.8188 of 2021

[Through video conferencing]

R.Aarthi

... Petitioner

-vs-

S.Premkumar

... Respondent

PRAYER: Transfer Civil Miscellaneous Petition is filed under Section 24 of the Code of Civil Procedure, to withdraw the F.C.O.P.No.16 of 2021 on the file of the Family Court, Namakkal, Namakkal District and to transfer the same to the Principal Subordinate Court, Vriddhachalam, Cuddalore District.

For Petitioner : M/s.A.L.Gandhimathi

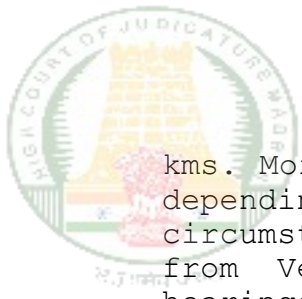
For Respondent : Mr.M.D.Noorulla
(No appearance)

O R D E R

The present Transfer Civil Miscellaneous Petition is filed to withdraw the F.C.O.P.No.16 of 2021 on the file of the Family Court, Namakkal, Namakkal District and to transfer the same to the Principal Subordinate Court, Vriddhachalam, Cuddalore District.

2.The respondent/husband has filed F.C.O.P.No.16 of 2020 before the Family Court at Namakkal for divorce.

3.The learned counsel for the petitioner/wife submitted that the petitioner is residing with her aged parents house at Veppur. The distance between Veppur and Namakkal is around 161



kms. Moreover, the petitioner has no source of income and she is depending on her aged and sick parents and in this circumstances, it is very difficult for the petitioner to travel from Veppur to Namakkal for attending the Court on every hearings in F.C.O.P.No.16 of 2020. Therefore, he seeks to transfer the case from Namakkal, Namakkal District to Vriddhachalam, Cuddalore District.

4. There is no representation for the respondent. Heard the learned counsel for the petitioner and perused the materials placed on record. There is no representation for the respondent.

5. Considering the facts and circumstances of the case and the submissions made by the learned counsel for the petitioner, this Court is inclined to transfer the case to the file of the Subordinate Court at Vriddhachalam, Cuddalore District.

6. Accordingly, F.C.O.P.No.16 of 2020 is withdrawn from the file of the Family Court at Namakkal, Namakkal District and transferred to the file of the Subordinate Court at Vriddhachalam, Cuddalore District, for disposal as per law. The Family Court, Namakkal, Namakkal District, is directed to transmit the papers to the file of the Subordinate Court at Vriddhachalam, Cuddalore District, forthwith. The learned Subordinate Judge at Vriddhachalam, Cuddalore District is directed to dispose of the case in F.C.O.P.No.16 of 2020 on merits and in accordance with law as expeditiously as possible.

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

Sd/-
Assistant Registrar(CS)

// True Copy//

Sub Assistant Registrar

ssi

To:

1. The Family Court,
Namakkal,
Namakkal District.



2.The Subordinate Court,
Vriddhachalam,
Cuddalore District.

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+1cc to M/s.A.L.Ganthimathi, Advocate, S.R.No.39548

+1cc to Mr.M.D.Noorulla, Advocate, S.R.No.39952

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SPD (CO)
SU (02/09/2021)