



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :25.08.2021

CORAM:

THE HONOURABLE MR.JUSTICE A.A.NAKKIRAN

TR.C.M.P.NO.329 OF 2021

AND

CMP.NO.7833 OF 2021

Nivetha Laksmi

... Petitioner

-vs-

Bharathwajan

... Respondent

PRAYER: Transfer Civil Miscellaneous Petition is filed under Section 24 of the Code of Civil Procedure, to withdraw the case in FCOP.No.116 of 2020 pending on the file of the Family Court at Chengalpattu and transfer the same to the Principal Subordinate Court at Kallakurichi.

For Petitioner : Mr.B.Abdul Samath

For Respondent : No appearance

O R D E R

The present Transfer Civil Miscellaneous Petition is filed to withdraw the case in FCOP.No.116 of 2020 pending on the file of the Family Court at Chengalpattu and transfer the same to the Principal Subordinate Court at Kallakurichi.

2. The learned counsel for the petitioner/wife has submitted that the petitioner is residing with her age old parents at Kallakurichi which is nearly 200 kms from Chengalpattu. He further submitted that the petitioner is having one year old baby and she is dependent on her parents. In such circumstances, it is difficult for the petitioner to travel from Kallakurichi to Chengalpattu for attending the Court hearing in FCOP.No.116 of 2020. Hence, he seeks to transfer the FCOP.No.116 of 2020 to the file of Principal Subordinate Court, Kallakurichi.

3. Though notice has been served on the respondent, there is no representation for the respondent.

4. Considering the facts and circumstances of the case, FCOP.No.116 of 2020 is withdrawn from the file of Family Court,



Chengalpattu and transferred to the file of the Principal Subordinate Court, Kallakurichi, for disposal as per law. The learned Family Court Judge, Chengalpattu, is directed to transmit the papers to the file of the Principal Subordinate Court, Kallakurichi, forthwith. The learned Judge, Principal Sub-Court, Kallakurichi, is directed to dispose of FCOP.No.116 of 2020 on merits and in accordance with law as expeditiously as possible.

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

Sd/-

Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

gv

To:

1. The Family Court, Chengalpattu.
2. The Principal Subordinate Court, Kallakurichi.

+1cc to Mr.B.Abdul Samath, Advocate, S.R.No.42559

Tr.C.M.P.No.329 of 2021
and
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GSM(CO)
PM/28/09/2021