

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.10.2021

CORAM:

THE HONOURABLE MRS. JUSTICE S. KANNAMMAL

Tr.C.M.P.No.385 of 2021

and

C.M.P.No.8861 of 2021

[Video Conferencing]

V.Nalani

... Petitioner

vs.

A.Balaji

... Respondent

This Petition filed under Section 24 of the Code of Civil Procedure, praying to withdraw the H.M.O.P.No. 2599 of 2020 on the file of the I Additional Family Court, Chennai and transfer the same to the Family Court, Vellore.

For Petitioner : Mr. G. Vinodhkumar

For Respondent : No appearance

ORDER

- 1.The present Transfer Civil Miscellaneous Petition is filed to withdraw the H.M.O.P.No.2599 of 2020 on the file of the I Additional Family Court, Chennai and transfer the same to the Family Court, Vellore.
- 2.The respondent/husband has filed H.M.O.P.No.2599 of 2020 before the I Additional Family Court at Chennai for divorce.
- 3.The learned counsel for the petitioner/wife submitted that the petitioner is residing with her aged parents home at Vellore. Since, her parents having physical ailments, they are unable to travel to anywhere along with the petitioner and in these circumstances, it is very difficult for the petitioner to travel from Vellore to Chennai for attending the Court on every hearings in H.M.O.P.No.2599 of 2020. Therefore, she seeks to transfer the case from the I Additional Family Court, Chennai to the Family Court at Vellore.
- 4.Heard the learned counsel for the petitioner. Despite sufficient opportunity given to the respondent, there was no representation. Even today there is no representation on behalf of the respondent. Hence, this Court is inclined to pass orders on merits.

- 5.Considering the submissions made by the learned counsel for the petitioner, this Court is inclined to transfer the case to the file of the Family Court, Vellore.
- 6.Accordingly, H.M.O.P.No.2599 of 2020 is withdrawn from the I Additional Family Court, Chennai and transferred to the file of the Family Court at Vellore for disposal as per law. The learned Judge, I Additional Family Court, Chennai, is directed to transmit the papers to the file of the learned Judge, Family Court, at Vellore, forthwith. The learned Judge, Family Court, at Vellore, is directed to dispose of the case in H.M.O.P.No.2599 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 VII)

//True Copy//

Sub Assistant Registrar

gbi
To

1.The Judge,
I Additional Family Court,
Chennai.

2.The Judge,
Family Court,
Vellore.

+1 cc to Mr.G.Vinodh kumar, Advocate Sr.NO. 51483
Tr.C.M.P.No.385 of 2021
and
C.M.P.No.8861 of 2021

NK(CO)
A.SK(28.10.2021)