



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.11.2021

CORAM:

THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN

TR CMP No.556 of 2021

Periyanayagi @ Indu

...Petitioner

Vs

Raj Alagappan

... Respondent

Prayer: Transfer Civil Miscellaneous Petition filed under Section 24 of the Code of Civil Procedure, 1908, pleased to withdraw HMOP No.54 of 2021 on the file of the Sub Court, Devakottai and transfer the same to the file of the Principal Family Court, Chennai.

For Petitioner : Mr.Udhayashankar, for
Mr.R.Chandra mohan

For Respondent : Mr.M.Dinesh, for
Mr.K.Muthu malai

O R D E R

The wife seeks transfer of proceedings in HMOP No.54 of 2021 pending on the file of the Sub Court, Devakottai to the Family Court, Chennai.

2. The learned counsel for the respondent would submit that the husband is a resident of Meenambalpuram in Madurai and if the proceedings are transferred to Family Court, it would be very difficult for him to appear before the Family Court for every hearing since he is unemployed.

3. The wife is a resident of Porur, which is not within the jurisdiction of the Family Court at Chennai. Therefore, the request for transfer to Family Court may not be just. However, considering the convenience of the parties and the fact that the husband claimed to be an unemployed person, HMOP No.54 of 2021



pending before the Sub Court, Devakottai is withdrawn and transferred to the Sub Court, Alandur to be tried and disposed of in accordance with law. The inconvenience caused to the parties will also be greatly reduced as they can appear before the Sub Court, only for essential hearings. The Sub Court, Alandur is required to dispose of HMOP No.54 of 2021 within a period of one year from the date of receipt of papers from the Sub Court, Devakottai. No costs.

Sd/-
Assistant Registrar

True Copy//

Sub Assistant Registrar

vum

To

1. The Subordinate Judge,
Sub Court,
Devakottai.
2. The Subordinate Judge,
Sub Court,
Alandur.

+lcc to Mr.R.Chandramohan, Advocate, S.R.No.60116
+lcc to Mr.K.Muthumalai, Advocate, S.R.No.59919

TR CMP No.556 of 2021

KG[co]
NSK 07/12/2021