



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.12.2021

CORAM:

THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN

Tr.CMP.No.535 of 2021  
and  
CMP.No.14092 of 2021

K.Saritha ..Petitioner/Respondent

Vs.

L.Divakar ..Respondent/ Petitioner

Prayer: Transfer civil miscellaneous petition filed under Section 24 of CPC, seeking to withdraw HMOP.No.41 of 2020 pending on the file of the Family Court, Villupuram and transfer the same to the Sub-ordinate Court, Arakkonam.

For Petitioner : Mr.M.A.Ravi Chandran

For Respondent : Mr.B.Magizhnan

#### O R D E R

The petitioner / wife seeks transfer of HMOP.No.41 of 2020 from the file of the Family Court, Villupuram to the Sub-Court, Arakkonam. It is also stated that MC.No.15 of 2021 filed by the wife is pending before the learned Judicial Magistrate, Arakkonam.

2.Heard Mr.A.M.Ravi Chandran, learned counsel appearing for the petitioner and Mr.B.Magizhnan, learned counsel appearing for the respondent.

3.Mr.B.Magizhnan, learned counsel appearing for the respondent would submit that the husband has a serious kidney ailment, undergoing dialysis twice a week and is now staying at Chennai. Due to his health condition, he is unable to appear before the Family Court at Villupuram. It is also seen that HMOP.No.14 of 2020 filed by the wife seeking divorce is pending on the file of the Sub-Court, Arakkonam.

4.In view of the pendency of the various proceedings as well as the health condition of the husband, I am of the opinion that it will be in the interest of both the parties that the



proceedings are conducted in a neutral venue, where the appearance of the parties for every hearing is not required.

5. Considering the fact that the husband is now a resident of Chennai and wife is also a resident of Arakkonam, which is nearer to Chennai, HMOP.No.14 of 2020 on the file of the Sub-court, Arakkonam and HMOP.No.41 of 2020 on the file of the Family Court, Villupuram are withdrawn and transferred to the Sub-Court, Alandur to be tried and disposed of together. All interlocutory applications will also stand transferred. The Sub-Court, Alandur is required to dispose of IA.No.67 of 2021 filed by the wife seeking return of articles within a period of three months from the date of receipt of the records from the Transferor Court. MC.No.15 of 2021 pending on the file of the Judicial Magistrate, Arakkonam is also withdrawn and transferred to the Judicial Magistrate, Alandur.

6. This transfer civil miscellaneous petition is disposed of with the above direction. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

kkn

To:-

1. The Family Court,  
Villupuram.
2. The Sub-ordinate Court,  
Arakkonam.
3. The Sub-Court,  
Alandur.

+1cc to Mr.M.A.Ravi Chandran, Advocate, S.R.No.66741  
+2cc to Mr.B.Magizhnan, Advocate, S.R.No.66700

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SRA(CO)  
CT 05/01/2022