



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.12.2021

CORAM:

THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN

TR.CMP.NO.526 OF 2021

AND

CMP.NO.14036 OF 2021

Kanimozhi

..Petitioner

Vs.

R.Kannan

..Respondent

Prayer:

Transfer civil miscellaneous petition filed under Section 24 of CPC, seeking to withdraw HMOP.No.83 of 2021 pending on the file of the Sub-Court, Alandur and transfer the same to the Family Court, Puducherry.

For Petitioner : Mr.Varun.S

For Respondent : No Appearance

O R D E R

The petitioner / wife seeks transfer of HMOP.No.83 of 2021 on the file of the Sub-Court, Alandur to the Family Court, Puducherry. Transfer is sought for solely on the ground of convenience, since the wife is a resident of Villiyanur near Puducherry.

2.Though Mr.D.Rajasekar entered appearance for the respondent, he has been consistently absent.

3.No doubt, transfer of proceedings to the Family Court, Puducherry would be to the advantage of the petitioner but the inconvenience caused to the respondent should also be taken into account by the Court when the Court considers the request for transfer. The husband, who is a resident of Okkiyamthuraipakkam near Chennai would be undoubtedly put to inconvenience, if he is required to go over to Puducherry for every hearing, if the matter is transferred to the Family Court at Puducherry.



4. In order to mitigate such inconvenience, I am of the opinion that the HMOP could be transferred to a Sub-Court in Puducherry so that the inconvenience caused to the respondent would be largely reduced, since he need not appear for every hearing before the Sub-Court. Hence, HMOP.No.83 of 2021 pending on the file of the Sub-Court, Alandur is withdrawn and transferred to the Principal Sub-Court, Puducherry to be tried and disposed of in accordance with law.

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

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

kkn

To:-

1. The Subordinate Judge,
Alandur.
2. The Principal Subordinate Judge,
Puducherry.

Tr.CMP.No.526 of 2021
and
CMP.No.14036 of 2021

GSM(CO)
PM/06/01/2022