



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :18.06.2021

CORAM:

THE HONOURABLE MR.JUSTICE A.A.NAKKIRAN

Tr.C.M.P. (MD) No.151 of 2021

and

C.M.P. (MD) No.2983 of 2021

WEB COPY

D.Meenachi

... Petitioner/Respondent

-vs-

P.Senthil Kumar

... Respondent/Petitioner

PRAYER: Transfer Civil Miscellaneous Petition is filed under Section 24 of the Code of Civil Procedure, to transfer the H.M.O.P.No.256 of 2018 on the file of the Subordinate Judge, Poonamallee, Thiruvallur District and the same may be transferred to any Family Court, Trichy.

For Petitioner : Mr.M.Jegadeesh Pandian

For Respondent : No appearance

O R D E R

The present Transfer Civil Miscellaneous Petition is filed to transfer the H.M.O.P.No.256 of 2018 on the file of the Subordinate Judge, Poonamallee, Thiruvallur District and the same may be transferred to any Family Court, Trichy.

2.The respondent/ husband has filed H.M.O.P.No.256 of 2018 before the Subordinate Judge, Poonamallee, Thiruvallur District, for divorce.

3. The learned counsel for the petitioner submitted that the petitioner is residing at Thuraiyur. In order to attend the hearing, the petitioner has to travel 325 kms from Thuraiyur to Chennai and it causes great hardship and mental agony to her. Therefore, the petitioner seeks to transfer the case in H.M.O.P.No.256 of 2018, on the file of Sub Court, Poonamallee, Thiruvallur District, to the file of Family Court, Trichy.

4.Though the name of the respondent is printed in the cause list, the respondent has not chosen to appear either in person or through counsel duly instructed.

5. This Court considered the arguments made by the learned counsel for the petitioner.



6. This Court is satisfied with the reasons stated in the affidavit filed in support of this petition.

7. Considering the facts and circumstances of the case and also considering the submissions made by the learned counsel for the petitioner, H.M.O.P.No.256 of 2018 is withdrawn from the file of the Subordinate Court, Poonamallee, Thiruvallur District and transferred to the file of the Family Court, Trichy, for disposal as per law. The learned Subordinate Judge, Poonamallee, Thiruvallur District, is directed to transmit the papers to the Family Court, Trichy, forthwith. The learned Judge, Family Court, Trichy, is directed to dispose H.M.O.P.No.256 of 2018 on merits and in accordance with law as expeditiously as possible.

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

Sd/-

Assistant Registrar (CS I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

To:

1. The Subordinate Judge, Poonamallee, Thiruvallur District.
2. The Judge,
Family Court, Trichy.

Order made in
Tr.C.M.P. (MD) No.151 of 2021
and
C.M.P. (MD)No.2983 of 2021
Dated:
18.06.2021

AS (28.06.2021) P 3C