



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.03.2022

CORAM

THE HONOURABLE Ms. JUSTICE P.T.ASHA

Tr.C.M.P. No.32 of 2022
and
C.M.P.No.808 of 2022

R.Padmavathy ... Petitioner/Respondent

-Vs-

L.Vigneswaran ... Respondent/Petitioner

PRAYER: Petition filed under Section 24 of the Code of Civil Procedure, to withdraw H.M.O.P.No.5297 of 2021 on the file of the III Additional Family Court, Chennai and transfer it to the file of the Family Court, Thiruvannamalai, to be heard along with F.C.O.P.No.214 of 2021, pending on its file.

For Petitioner : Ms.K.Sumathi

For Respondent : Ms.C.Shyamala

ORDER

The wife has filed the Transfer Civil Miscellaneous Petition seeking transfer of H.M.O.P.No.5297 of 2021 filed by the husband for divorce on the file of the III Additional Family Court, Chennai, to the file of the Family Court, Thiruvannamalai, to be heard along with F.C.O.P.No.214 of 2021 filed by the wife for restitution of conjugal rights.

2.The learned counsel appearing for the respondent has no objection but, however, contended that since the matter is now being transferred to the Family Court, Thiruvannamalai, the presence of party was mandatory and this would cause hardship to the respondent/husband who would have to travel to Thiruvannamalai for every hearing.

Therefore, in the interest of justice the Transfer Civil



Miscellaneous Petition is ordered, withdrawing the proceedings in H.M.O.P.No.5297 of 2021 on the file of the III Additional Family Court, Chennai, and transferred to the file of the Family Court, Thiruvannamalai, subject to the condition that the Family Court, Thiruvannamalai, shall not insist on the presence of the respondent/husband for every hearing except for attending the counselling session and for adducing evidence. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar (CS-III)

//True Copy//

Sub Assistant Registrar

mps

To

1. The III Additional Family Court,
Chennai.
2. The Family Court,
Thiruvannamalai.

+2ccs to Mr.K.Sumathi, Advocate, S.R.No.20173

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SKM(CO)
SU(17/05/2022)