



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.03.2022

CORAM

THE HON'BLE Ms.JUSTICE P.T.ASHA

Tr.C.M.P.No.97 of 2022
and
C.M.P.No.1848 of 2022

S.Meena

... Petitioner

Vs

K.Vinoth Kumar

... Respondent

PRAYER: Transfer Civil Miscellaneous Petition is filed under Section 24 of Civil Procedure Code to withdraw the case in H.M.O.P.No.1878 of 2021 on the file of the Subordinate Court, Alandur and transfer the same to the file of the Principal Family Court, Chengalpattu to be tried along with H.M.O.P.No.137 of 2021.

For Petitioner : Mr.S.Silambuselvan

For Respondent : Served - No appearance

O R D E R

This Transfer Civil Miscellaneous Petition is filed by the petitioner-wife seeking to withdraw H.M.O.P.No.1878 of 2021 filed by the respondent husband, for divorce from the file of the Subordinate Court, Alandur and transfer the same to the file of the Principal Family Court, Chengalpattu, to be tried along with H.M.O.P.No.137 of 2021 filed by the petitioner- wife, for restitution of conjugal rights.

2. Transfer is sought for by the petitioner-wife on the ground that that she is residing in Chengalpattu with her aged parents and is depending on them even for her livelihood. It would be extremely difficult for her to attend all the Court proceedings at Alandur, Chennai. She had filed H.M.O.P.No.137 of 2021 for restitution of the conjugal rights, which is pending before the Principal Family Court, Chengalpattu.

3. Heard the learned counsel for the petitioner and perused the materials available on record. The respondent, though served, has not entered appearance.



4. Considering the reasons given and the fact that the wife is residing within the Jurisdiction of the Principal Family Court, Chengalpattu, this Court is of the considered view that the request for transfer should be allowed.

5. Accordingly, the transfer Civil Miscellaneous Petition is allowed. H.M.O.P.No.1878 of 2021 pending on the file of the Subordinate Court, Alandur shall withdrawn and transferred to the file of the Principal Family Court, Chengalpattu, to be tried along with H.M.O.P.No.137 of 2021. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS-VIII)

//True copy//

Sub Assistant Registrar

ab/srn

To

1. The Subordinate Judge, Alandur .
 2. The Principal Judge, Family Court, Chengalpattu.
 3. The Section Officer, V.R.Section, High Court, Madras.
- +lcc to Mr.S.Silambuselvan, Advocate SR.No.17256

Tr.C.M.P.No.97 of 2022
and
C.M.P.No.1848 of 2022

MT (CO)
GMY (31/03/2022)