



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.04.2022

CORAM

THE HONOURABLE MS. JUSTICE P.T. ASHA

TR.C.M.P.NO.266 OF 2022

AND

C.M.P.NO.5276 OF 2022

P.V.Haritha

... Petitioner

Vs.

S.Revanth Kumar

... Respondent

PRAYER:

Transfer Civil Miscellaneous Petition filed under Section 24 of the Civil Procedure Code to transfer the F.C.O.P.No.47 of 2022 pending before the Family Court, Vellore to any of the Family Court, in Chennai.

For Petitioner : Mr.Balan Haridas

For Respondent : Mr.E.Kannadasan

O R D E R

The petitioner/wife has sought to transfer the petition in F.C.O.P.No.47 of 2022 which is pending on the file of the Family Court, Vellore to the Family Court, Chennai.

2. The petitioner/wife is residing at Chennai. The respondent/husband has filed the petition for divorce before the Family Court, Vellore. The petitioner is living with her parents in Chennai. The petitioner/wife has expressed her difficulties in travelling alone Chennai to Vellore for every hearing as the matter is pending before the Family Court, Vellore, since the respondent/husband has not given any maintenance to her.

3. Heard the learned counsel for the petitioner and the learned counsel for the respondent.

4. The learned counsel for the respondent-husband would submit that if the matter is transferred to Family Court, Chennai, the respondent-husband would have to travel to Chennai for every hearing and therefore, his presence may be dispensed with for all non effective hearings.



5. Considering the reasons given for the transfer particularly the fact that the husband is not maintaining his wife, this Court is inclined to allow this petition. However, considering the fact that the matter is now being transferred to the Family Court where presence of parties for all the hearings is mandatory and taking into account the fact that the respondent/husband is doing business, his presence for all the hearings is dispensed with except when he is required to be present for counselling and for adducing evidence.

6. In the light of the above reasons given by the petitioner/wife, this Transfer Civil Miscellaneous Petition is allowed as prayed for and F.C.O.P.No.47 of 2022 pending on the file of the Family Court, Vellore, is withdrawn and transferred to the file of the Family Court, Chennai. No Costs. Consequently, the connected Civil Miscellaneous Petition is closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

ssn

To

1. The Judge, Family Court, Vellore.
2. The Judge, Family Court, Chennai.

+1cc to Mr.Balan Haridas, Advocate, S.R.No.29330
+1cc to Mr.E.Kannadasan, Advocate, S.R.No.29213

Tr.C.M.P.No.266 of 2022
and
C.M.P.No.5276 of 2022

SSI (CO)
PM/19/05/2022