



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.06.2022

CORAM:

THE HONOURABLE MRS.JUSTICE S. KANNAMMAL

TR.C.M.P.NO.477 OF 2021

AND

C.M.P.NO.12648 OF 2021

J.Jayalakshmi

... Petitioner

Versus

H.Sathish (alias) Vasudhevan

... Respondent

This Petition filed under Section 24 of the Code of Civil Procedure, praying to withdraw the H.M.O.P.No.1428 of 2021 on the file of the Sub Court at Alandur and to transfer the file of Family Court at Cuddalore.

For Petitioner : Mr.I.Abrar Mohamed Abdullah

For Respondent : No appearance

ORDER

- 1.The present Transfer Civil Miscellaneous Petition is filed to withdraw the H.M.O.P.No.1428 of 2021 on the file of the Sub Court at Alandur and to transfer the file of Family Court at Cuddalore.
- 2.The respondent/husband has filed H.M.O.P.No.1428 of 2021 before the Sub-Court at Alandur for divorce.
- 3.The learned counsel for the petitioner/wife submitted that the petitioner is residing with her aged parents home at Cuddalore. Since, her parents having physical ailments they are unable to travel to anywhere along with the petitioner and in this circumstances, it is very difficult for the petitioner to travel from Cuddalore to Alandur for attending the Court on every hearings in H.M.O.P.No.1428 of 2021. Therefore, she seeks to transfer the case from the Sub-Court at Alandur to the Family Court at Cuddalore.



4. Though notice has been served on the sole respondent and his name is also printed in the cause list, there is no representation for him either in person or through counsel.

5. Considering the submissions made by the learned counsel for the petitioner, this Court is inclined to transfer the case to the file of the Family Court Cuddalore.

6. Accordingly, H.M.O.P.No.1428 of 2021 is withdrawn from the Sub Court, Alandur and transferred to the file of the Family Court at Cuddalore for disposal as per law. The learned Sub-Judge, Alandur, is directed to transmit the papers to the file of the learned Judge, Family Court, at Cuddalore, forthwith. The learned Judge, Family Court, at Cuddalore, is directed to dispose of the case in H.M.O.P.No.1428 of 2021 on merits and in accordance with law as expeditiously as possible.

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

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

gbi

To

1. The Subordinate Judge,
Alandur.

2. The Judge,
Family Court,
Cuddalore.

+1cc to Mr.I.Abrar Md Abdullah, Advocate, S.R.No.35258

Tr.C.M.P.No.477 of 2021

GP(CO)
PM/24/06/2022