

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.07.2022

CORAM:

THE HONOURABLE MRS. JUSTICE S.KANNAMMAL

Tr.C.M.P.No.498 of 2021
and
C.M.P.No.13429 of 2021

K.Uma Maheswari ... Petitioner
Versus

R.Dhanasekaran ... Respondent

PRAYER: Transfer Civil Miscellaneous Petition is filed under Section 24 of the Code of Civil Procedure, to withdraw the O.P.No.34 of 2020 pending on the file of the Family Court, Villupuram and transfer the same to the Family Court, Puducherry.

For Petitioner : Mr.P.Dineshkumar
For Respondent : No Appearance

ORDER

The present Transfer Civil Miscellaneous Petition is filed to withdraw the O.P.No.34 of 2020 pending on the file of the Family Court, Villupuram and transfer the same to the Family Court, Puducherry.

2.The respondent/husband has filed O.P.No.34 of 2020 before the Family Court, Villupuram, for divorce.

3.The learned counsel for the petitioner/wife submitted that the petitioner is residing with her aged parents at Puducherry. Moreover, she is depending on her aged parents and the petitioner being a lady, it is very difficult for her to travel from Puducherry to Villupuram for attending the Court on every hearing. Therefore, she seeks to transfer the case from Villupuram to Puducherry.

4.Heard the learned counsel for the petitioner. Despite sufficient opportunity given to the respondent, there was no representation even today there is no representation on behalf of the respondent. Hence, this Court is inclined to pass orders on merits.

5.Considering the facts and circumstances of the case and 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, Puducherry.

6.Accordingly, O.P.No.34 of 2020 is withdrawn from the file of the Family Court, Villupuram and transferred to the file of the Family Court, Puducherry, for disposal as per law. The Family Court, Villupuram, is directed to transmit the papers to the file of the Family Court, Puducherry within a period of six weeks from the date of receipt of a copy of this order. The learned Judge, Family Court, Puducherry is directed to dispose of the case in O.P.No.34 of 2020 on merits and in accordance with law as expeditiously as possible.

7.Accordingly, this Transfer Civil Miscellaneous Petition is allowed. No Costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS IV)

True Copy//

Sub Assistant Registrar

gbi

To:

1. The Judge, Family Court,
Villupuram.
2. The Judge, Family Court,
Puducherry.

+1cc to Mr.P.Dineshkumar, Advocate, S.R.No.43789

Tr.C.M.P.No.498 of 2021

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NSK/27/07/2022