



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.03.2022

CORAM

THE HONOURABLE Ms. JUSTICE P.T.ASHA

Tr.C.M.P. No.716 of 2021
and
C.M.P. No.17535 of 2021

J.Yamini

... Petitioner / Respondent

Vs.

N.Sathish Kumar

... Respondent / Petitioner

PRAYER: Transfer Civil Miscellaneous Petition filed under Section 24 of Civil Procedure Code to withdraw and transfer H.M.O.P. No.169 of 2021 from the file of the Subordinate Court at Ponneri to the file of the Subordinate Court at Poonamallee.

For Petitioner : Ms.A.Manju

For Respondent : Mr.T.Senthil Kumaran
No Appearance

O R D E R

The respondent-wife in H.M.O.P.No.169 of 2021 has filed this petition for transferring the proceedings pending on the file of the Sub Court, Ponneri filed by her husband/ the respondent herein, for divorce, to the file of the Family Court at Poonamallee.

2. The reason for seeking transfer is that the petitioner is residing at Pattabiram and though she would have to travel 45 kilometers to reach Ponneri, she would have to have a change over of three buses one way. The respondent has not been giving any maintenance to the petitioner and this travel would be an additional financial strain on her. Further, the petitioner would submit that the respondent's permanent address is at Thiruvallur and for the reasons as stated in the affidavit therein, she has filed the petition at Ponneri. That apart, the petitioner is residing within the jurisdiction of that Court.



3. There is no representation for the respondent today and also on the previous occasions. Therefore, this Court has proceeded to hear the learned counsel for the petitioner and the order is being passed upon perusing the materials available on record.

4. The reasons that have been put forward by the petitioner in the petition and as set out by her counsel, make compelling reasons favouring the transfer. In the above circumstances, the O.P. filed by the husband in H.M.O.P. No.169 of 2021 pending on the file of the Sub Court, Ponneri is withdrawn and transferred to the file of the Sub Court, Poonamalle. Accordingly, the transfer Civil Miscellaneous Petition is allowed. No Costs. Consequently, the connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

srn/ab

To

1. The Subordinate Judge,
Ponneri.
2. The Subordinate Judge,
Poonamallee.

+1cc to Mr.T.Senthil Kumaran, Advocate, S.R.No.16565

Tr.C.M.P. No.716 of 2021
and
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NSK 28/03/2022