



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.06.2022

CORAM:

THE HONOURABLE MRS. JUSTICE S.KANNAMMAL

Tr.C.M.P.No.724 of 2021
and C.M.P.No.17713 of 2021

N.Karthika

... Petitioner

Versus

S.Balasasi Kumar

... Respondent

PRAYER: Transfer Civil Miscellaneous Petition is filed under Section 24 of the Code of Civil Procedure, to withdraw the H.M.O.P.No.1222 of 2019 pending on the file of the District Judge, Family Court, Madurai and transfer the same to the Subordinate Judge, Alandur.

For Petitioner : Mr.T.Thiyagarajan

For Respondent : No Appearance

ORDER

The present Transfer Civil Miscellaneous Petition is filed to withdraw the H.M.O.P.No.1222 of 2019 pending on the file of the District Judge, Family Court, Madurai and transfer the same to the Subordinate Judge, Alandur.

2.The respondent/husband has filed H.M.O.P.No.1222 of 2019 before the District Judge, Family Court, Madurai, for divorce.

3.The learned counsel for the petitioner/wife submitted that the petitioner is having a child aged about 6 year and she is residing with her aged parents at Chennai. Moreover, she is depending on her aged parents and the petitioner being a lady, it is very difficult for her to travel from Chennai to Madurai for attending the Court on every hearing. Therefore, she seeks to transfer the case from Madurai to Chennai.

4.Heard the learned counsel for the petitioner. Despite sufficient opportunity given to the respondent, there was no representation even today 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 Subordinate Judge, Alandur.

6. Accordingly, H.M.O.P.No.1222 of 2019 is withdrawn from the file of the District Judge, Family Court, Madurai and transferred to the file of the Subordinate Judge, Alandur, for disposal as per law. The District Judge, Family Court, Madurai, is directed to transmit the papers to the file of the Subordinate Judge, Alandur within a period of six weeks from the date of receipt of a copy of this order. The learned Subordinate Judge, Alandur is directed to dispose of the case in H.M.O.P.No.1222 of 2019 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-VIII)

//True Copy//

Sub Assistant Registrar

gbi

To

1. The District Judge, Family Court, Madurai.

2. The Subordinate Judge, Alandur.

+1cc to Mr.J.Thiyagarajan, Advocate, S.R.No.38071

Tr.C.M.P.No.724 of 2021

RK(CO)
SB(05/07/2022)