



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.04.2022

CORAM

THE HONOURABLE MS. JUSTICE P.T.ASHA

Tr.CMP. No.745 of 2021
and
C.M.P.No.17893 of 2021

D.Malathi ...Petitioner/Respondent

Vs

S.Babu ...Respondent/Petitioner

PRAYER: Petition filed under Section 24 of the Code of Civil Procedure, to withdraw and transfer the proceedings in HMOP No.3309 of 2021 which is pending on the file of the IV Family Court, Chennai to the file of the Sub Ordinate Judge, Panruti for disposal in accordance with law.

For Petitioner : M/s. L.Kannan

For Respondent : Mr.J.Manikandan

ORDER

The respondent/wife in a petition for divorce filed by the husband on the file of the IV Family Court, Chennai in H.M.O.P.No.3309 of 2021 is the petitioner before this Court. The petitioner seeks to withdraw the above proceedings pending on the file of the IV Family Court, Chennai and transfer the same to the file of the Sub Court, Panruti.

2. Reasons for seeking the transfer are as follows:

i) She would suffer immense physical as well as financial strain to travel alone to Chennai and return to her place nearly 400 Kilometers to attend the Court proceedings before the IV Family, Court, Chennai.

ii) She would also submit in her affidavit that the respondent is a influential person at Chennai and running contract work and got associated with lot of anti social elements. Therefore, she fears for her safety, if the



matter is pending on the file of the Family Court at Chennai.

3.The respondent has entered appearance through counsel. However there is no serious objections put forth by the counsel.

4.Heard the learned counsel on either side.

5.Considering the fact that the petitioner/wife has given compelling reasons seeking the transfer and also taking into account the fact that the matter is now pending before the Family Court where the presence of parties are necessary, it would be to the benefit and advantage of both the parties, if the matter now pending before the Family Court is transferred to the file of the Sub Court where the presence of the parties for every hearing is not required.

6. Therefore, the Transfer Civil Miscellaneous Petition is allowed and H.MO.P.No.3309 of 2021, pending on the file of the IV Family Court, Chennai, is withdrawn and transferred to the file of the Sub Court, Panruti. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar(CS-IX)

//True Copy//

Sub Assistant Registrar

shr

To

1. The IV Judge,
Family Court,
Chennai.

2. The Sub Ordinate Judge,
Panruti.

+1cc to M/s.L.Kannan, Advocate, S.R.No.24483

Tr.CMP. No.745 of 2021
and
C.M.P.No.17893 of 2021

SKM(CO)
RGA(04/05/2022)