



IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 17.03.2022

CORAM

WEB COPY

THE HONOURABLE Ms. JUSTICE P.T. ASHA

Tr.C.M.P.No.854 of 2021
&
C.M.P.No.19351 of 2021

P.Nithya

...Petitioner

Vs

M.Kabilan

... Respondent

Prayer: Transfer Civil Miscellaneous Petition is filed under Section 24 of the Code of Civil Procedure to withdraw G.W.O.P.No.3110 of 2021 from the file of VI Additional Family Court, Chennai and transfer the same to the file of the Family Court at Vellore, where the connected F.C.O.P.No.275 of 2021 is pending on its file for joint trial.

For Petitioner : Mr.D.N.Dhurgasha

For Respondent : No Appearance

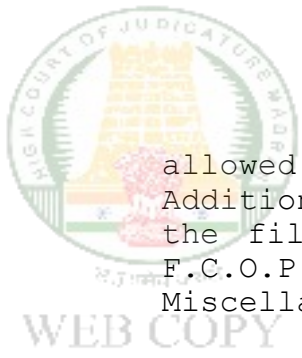
ORDER

The above petition has been filed by the wife seeking transfer of G.W.O.P.No.3110 of 2021, filed by the husband for appointment of guardian on the file of the VI Additional Family Court, Chennai to the file of the Family Court, Vellore, to be tried along with F.C.O.P.No.257 of 2021, which is the petition filed by the petitioner seeking divorce.

2. The petitioner would submit that the minor child is residing with her at Vellore and the respondent ought to have filed the GWOP at Vellore. The petitioner would further submit that she has no one to accompany her to attend the hearing at Chennai. Therefore, the petitioner has come forward with the present petition seeking transfer.

3. The respondent though served has not entered appearance.

4. Admittedly, the minor child is residing at Vellore with her mother, the petitioner herein. Therefore, the Court at Vellore would alone have jurisdiction to entertain the case. Accordingly, the Transfer Civil Miscellaneous Petition is



allowed. G.W.O.P.No.3110 of 2021 pending on the file of the VI Additional Family Court, Chennai is withdrawn and transferred to the file of the Family Court, Vellore to be tried along with F.C.O.P.No.275 of 2021. Consequently, connected Civil Miscellaneous Petition is closed. No costs.

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

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To

1.The Judge, VI Additional Family Court, Chennai
2.The Judge,
Family Court, Vellore.

+1 cc to M/s.Durga Sha, Advocate Sr.NO. 17935(18/04/2022)
Tr.C.M.P.No.854 of 2021

GPL(CO)
A.SK(11/04/2022)