

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.06.2022

CORAM:

THE HONOURABLE MRS.JUSTICE S. KANNAMMAL

Tr.C.M.P.No.858 of 2021

and

C.M.P.No.19378 of 2021

Mortha Shirish Vimalakumari @ Sri Lakshmi ... Petitioner

Versus

Poornachandran ... Respondent

This Petition filed under Section 24 of the Code of Civil Procedure, praying to withdraw the H.M.O.P.No.243 of 2021 on the file of the Subordinate Judge, Mayiladuthurai and to transfer the file of Judge, Family Court, Chennai.

For Petitioner : Mr.M.Mohamed Riyas

For Respondent : Mr.K.M.Vijayan

ORDER

The present Transfer Civil Miscellaneous Petition is filed to withdraw the H.M.O.P.No.243 of 2021 on the file of the Subordinate Court, Mayiladuthurai and to transfer the same to the file of Family Court, Chennai.

2.The respondent/husband has filed H.M.O.P.No.243 of 2021 before the Subordinate Court, Mayiladuthurai for divorce.

3.The learned counsel for the petitioner/wife submitted that the petitioner being a lady who is staying alone with no one to take care of her parents and unemployed, under these circumstances, it is very difficult for the petitioner to travel from Chennai to Mayiladuthurai for attending the Court on every hearings in H.M.O.P.No.243 of 2021. Therefore, she seeks to transfer the case from the Subordinate Court at Mayiladuthurai to the Family Court, Chennai.

4.The learned counsel for the respondent submitted that he has no objection to allow this petition.

5.Considering 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, Chennai.

6. Accordingly, H.M.O.P.No.243 of 2021 is withdrawn from the Subordinate Court, Mayiladuthurai and transferred to the file of the Family Court at Chennai for disposal as per law. The learned Subordinate Court Judge, Mayiladuthurai is directed to transmit the papers to the file of the learned Family Court Judge, Chennai, forthwith. The learned Family Court Judge, Chennai, is directed to dispose of the case in H.M.O.P.No.243 of 2021 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 (CCC)

//True Copy//

Sub Assistant Registrar

gbi

To

1. The Subordinate Judge,
Mayiladuthurai.

2. The Judge,
Family Court, Chennai.

+lcc to Mr.M.Mohamed Riyas, Advocate SR. No. 37849

+lcc to M/s.K.M.Vijayan Associates, Advocate SR. No. 37148

Tr.C.M.P.No.858 of 2021

AJS (CO)

PR (12/07/2022)