



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.03.2022

CORAM

THE HONOURABLE Ms. JUSTICE P.T. ASHA

Tr.C.M.P.No.837 of 2021

&

C.M.P.No.19179 of 2021

R.Hemalatha

... Petitioner/Respondent

Vs

K.Suresh

... Respondent/Petitioner

Prayer: Petition is filed under Section 24 of the Civil Procedure Code to withdraw and transfer the case in H.M.O.P.No.244 of 2021 from the file of the Sub Judge, Kancheepuram to the Sub Court, Alandur, Chennai.

For Petitioner : Mr.C.Prakasam

For Respondent : Mr.G.Balasubramanian
for M/s.Leela and Co.

ORDER

The above petition is filed by the wife to transfer the case in H.M.O.P.No.244 of 2021 from the file of the Subordinate Court, Kancheepuram to the file of the Subordinate Court, Alandur, Chennai. H.M.O.P.No.244 of 2021 has been filed by the husband seeking divorce on the file of the Subordinate Court, Kancheepuram.

2. The grounds on which the transfer is sought for are as follows:

(i)The petitioner is living with her aged parents at Chennai and the respondent has filed H.M.O.P.No.244 of 2021 on the file of the Subordinate Court, Kancheepuram, which is 50 K.M away from the petitioner's residence.

(ii)The petitioner has not been supported financially by the respondent and she also has to take care of her minor daughter who is aged about 8 years.

(iii)The petitioner is an Advocate practising



before the High Court of Madras and she cannot travel to the Sub Court, Kancheepuram for every hearing.

3. Sufficient reasons have been given to transfer the HMOP, however, the learned counsel for the respondent would submit that the matter may be transferred to the Subordinate Court, Tambaram since the Subordinate Court, Alandur does not have Jurisdiction to entertain the HMOP. The learned counsel for the petitioner also agreed to the same.

4. In the result, the Transfer Civil Miscellaneous Petition is allowed, accordingly H.M.O.P.No.244 of 2021 pending on the file of the Subordinate Court, Kancheepuram is transferred to the file of the Subordinate Court, Tambaram. Consequently, connected Civil Miscellaneous Petition is closed. No costs.

Sd/-
Assistant Registrar (CCC)

//True Copy//

Sub Assistant Registrar

kan

To

1. The Subordinate Court,
Kancheepuram.
2. The Subordinate Court,
Tambaram.

+1cc to M/s.C.Prakasam, Advocate, S.R.No.15973

+1cc to M/s.G.Balasubramanian, Advocate, S.R.No.16187

Tr.C.M.P.No.837 of 2021

SKM(CO)
SU(24/03/2022)