



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.04.2022

CORAM

THE HON'BLE Ms.JUSTICE P.T.ASHA

Tr.C.M.P.No.892 of 2021

and

C.M.P.No.19961 of 2021

P.Hemalatha

...Petitioner

Vs

K.R.Senthilkumar

...Respondent

PRAYER: Transfer Civil Miscellaneous Petition is filed under Section 24 of Civil Procedure Code, to withdraw the H.M.O.P.No.304 of 2021 on the file of the learned Principal Subordinate Judge, Mayiladudurai and transfer the same to the file of the learned Subordinate Judge, Virudhachalam, Cuddalore District.

For Petitioner : Mr.A.Swaminathan

For Respondent : Mr.R.Shivakumar
for M/s.K.M.Vijayan Associates

O R D E R

This Transfer Civil Miscellaneous Petition is filed by the petitioner/wife seeking transfer of the H.M.O.P.No.304 of 2021 filed by the respondent/husband for divorce on the file of the learned Principal Subordinate Judge, Mayiladudurai to the file of the learned Subordinate Judge, Virudhachalam, Cuddalore District.

2.The petitioner is working in the Police Department. She is presently transferred to Chennai. Therefore, she would seek for the transfer of the case to the Family Court, Chennai and not to the Sub-Court, Virudhachalam.

3.Since the petitioner had contended that she is residing at Chennai, on 25.03.2022, this Court had directed the petitioner to show the proof of transfer. The petitioner has filed the documents shows that she has reported for duty at the Armed Reserve Police, Pudupet, Chennai.



4. In the light of the above, this Transfer Civil Miscellaneous Petition is disposed of transferring the proceedings in H.M.O.P.No.304 of 2021 from the file of the learned Principal Subordinate Judge, Mayiladudurai to the Family Court, Chennai. The learned Principal Judge, Family Court, Chennai shall assign the case to the concerned Judge.

5. The learned counsel appearing for the respondent/husband would submit that the respondent would find it difficult to travel to Chennai for every hearing, since the presence of parties for every hearing is mandatory.

6. Considering the above, the Family Court to which the matter is to be assigned shall not insist upon the presence of the respondent/husband for all hearings except for counselling and for adducing evidence.

7. With the above direction, the transfer Civil Miscellaneous Petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS-VI)

//True Copy//

Sub Assistant Registrar

ssn

To

1. The Principal Subordinate Judge, Mayiladudurai.
2. The Principal Judge, Family Court, Chennai.
3. The Subordinate Judge, Virudhachalam, Cuddalore District.
4. The Section Officer, V.R.Section, High Court, Madras.

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KK(CO)
RGA(05/05/2022)