



WEB COPY



Tr.C.M.P.No.579 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.08.2024

CORAM

THE HONOURABLE DR.JUSTICE D.NAGARJUN

Tr.C.M.P.No.579 of 2024

and

C.M.P.No. 12590 of 2024

Suriya

...Petitioner

Vs.

Arun Pandian

... Respondent

Prayer : The Transfer Civil Miscellaneous Petition is filed under Section 24 of the Code of Civil Procedure, to withdraw the case in H.M.O.P.No.472 of 2024 on the file of Learned V Additional Family Court, Chennai and to transfer to the file of Learned Sub Court, Vandavasi.

For Petitioner : Mr.R.Ragavendran

For Respondent : No representation

ORDER

This petition has been filed seeking to withdraw the H.M.O.P.No.472 of 2024 pending on the file of V Additional Family Court, Chennai and to transfer the same to the Sub Court, Vandavasi.



Tr.C.M.P.No.579 of 2024

2. It is submitted by the learned counsel appearing for the petitioner that marriage of the petitioner with respondent was solemnized on 25.02.2018 at Thiruvannamalai. Subsequently, on account of some issues between the parties, the petitioner has filed Maintenance Petition in M.C.No.1 of 2024 on the file of Learned Judicial Magistrate, Vadavasi against the respondent and the same is pending. On receipt of the notice, the respondent has filed petition in H.M.O.P.No. 472 of 2024 on the file of V Additional Family Court, Chennai seeking divorce under Section 13(1)(i-a) of Hindu Marriage Act and the same is also pending.

3. It is also submitted by the learned counsel appearing for the petitioner that the petitioner is totally dependent on her old aged parents for all day to day expenses and also she cannot travel alone, her parents have to accompany her to reach the V Additional Family Court, Chennai, to attend the Court Proceedings in H.M.O.P.No. 472 of 2024. For which the petitioner has forced to spend a huge amount for her travel and lodging whenever the case is posted thereby. It is also stated that she is suffering from ill health and on account of this also it is not possible to travel and to attend the Court regularly. Therefore, sought for transfer of H.M.O.P.No. 472 of 2024 from V Additional Family Court to Sub Court, Vandavasi.



Tr.C.M.P.No.579 of 2024

4. Today this matter is posted under the caption 'for orders'. Notice taken out to the respondent has already been served. However, no representation on behalf of the respondent. Therefore the following orders are being passed.

5. Considering the submission made by learned counsel for the petitioner and on perusal of records, this petition is allowed. The H.M.O.P.No. 472 of 2024 pending on the file of V Additional Family Court, Chennai is withdrawn and ordered to be transferred to Sub Court, Vandavasi. The learned V Additional Family Judge, Chennai is directed to dispatch the entire case records pertaining to H.M.O.P.No. 472 of 2024 duly indexed to the Sub Court, Vandavasi as quickly as possible. Consequently, connected miscellaneous petition is also closed. No costs.

12.08.2024

Index:Yes/No
Speaking Order :Yes/No
Neutral Citation:Yes/No
nsl

To
1. The V Additional Family Court,
Chennai.

2. The Sub Court,
Vandavasi.



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DR. D.NAGARJUN,J.

ns1

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