

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:25-2-2014

CORAM

THE HONOURABLE MR.JUSTICE N.KIRUBAKARAN

Tr.CMP.No.742 of 2014

Diana Robert

.. Petitioner/ Respondent

Versus

Juno Immaculate Jayaraj Michael

.. Respondent/ Petitioner

This petition is filed under Section 24 of C.P.C. to withdraw the case in I.D.O.P.No.27 of 2014 now pending on the file of learned Principal District Judge at Kancheepuram and transfer the same to the file of Hon'ble Family Court at Coimbatore.

For Petitioner

: Mr.S.Xavier Felix

ORDER

The wife has come before this court seeking transfer of I.D.O.P.No.27 of 2014 filed by the respondent-husband seeking dissolution of marriage between the petitioner and the respondent dated 23.2.2011.

2. The petitioner and the respondent got married on 23.2.2011 and out of the wedlock a child was born. Due to dispute, both the parties are living separately. The respondent-husband filed I.D.O.P.No.27 of 2014 before the District Judge, Kancheepuram. After separation, the petitioner with a child is residing with her parents and she is unable to travel from Coimbatore to Kancheepuram, which is about 600 kilometres away.

3. Though the respondent was served and the name of the counsel for the respondent, appears in the cause list of this court, on 24.2.2015, there was no representation on behalf of the respondent and therefore, the matter is posted today for orders. When the matter is called today in the morning there was no representation on behalf of the respondent and hence it was passed over. Even by 3.10 P.M., when the matter is called again, there is no representation on behalf of the respondent. Therefore, this court proceeds with the matter to decide on merits.

4. It is seen from the affidavit that the petitioner-wife with her child is residing along with her parents in Coimbatore. Taking note of distance between Coimbatore and Kancheepuram, namely 600 kilometres, and it is very difficult for a lady to travel, it is appropriate to transfer I.D.O.P.27 of 2014 from the file of the District Judge, Kancheepuram to the file of the Family Court, Coimbatore. The petition is ordered. No costs. Consequently the connected M.P.No.1 of 2014 is closed.

Sd/-

Asst.Registrar (CS II)

/true copy/

Sub Asst. Registrar

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To

1.The Principal District Judge,
Kancheepuram.

2.The Presiding Judge
Family Court, Coimbatore.

1 cc to M/s. S.Xavier Felix, Advocate, sr. 10401

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RSI (CO)
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