

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE: 8.4.2015

CORAM

THE HON'BLE MR.JUSTICE N.KIRUBAKARAN

Tr.C.M.P.No.198 of 2015

and

M.P.No.1 of 2015

S.Madhu

Petitioner

vs.

B.Kalaichelvi

Respondent

Petition to withdraw H.M.O.P.No.30 of 2015 from the file of the Family Court, Erode to transfer the same to the Family Court, Trichy.

For petitioner : Mr.J.Sundarakanchani

For respondent : Ms.V.Sudhana Vinodhini

ORDER

Husband has come before this court by way of Transfer Petition seeking to transfer the petition filed by the respondent-wife for divorce from the Family Court, Erode to the file of the Family Court, Trichy on the ground that the marriage was celebrated at Trichy and they lived together at Trichy.

2. Heard the learned counsel for the petitioner and the learned counsel for the respondent.

3. Though the learned counsel for the petitioner would submit that the entire cause of action arose at Trichy as the marriage was celebrated at Trichy and they lived together at Trichy, considering the fact that the respondent-wife is residing with her minor child at Erode where the child is admitted in the school and it would be impossible for her to travel from Erode to Trichy if the case is transferred to Trichy.

4. The convenience of the parties also has to be considered. Therefore, considering the position of the wife, who has to take care of the minor child and the aged parents, the transfer, as sought for by the petitioner, cannot be granted. The Transfer Civil Miscellaneous Petition is dismissed. The Trial Court is directed to dispose of the case as expeditiously as possible. No costs. The

connected miscellaneous petition is also dismissed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

ssk.

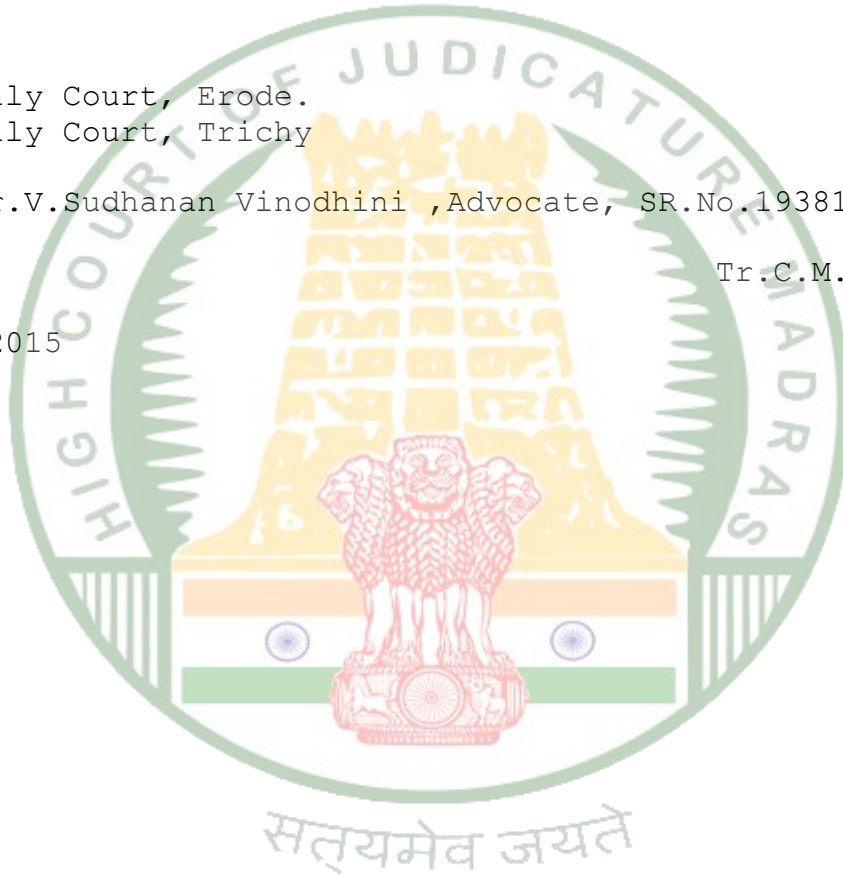
To

- 1.The Family Court, Erode.
- 2.The Family Court, Trichy

1 cc to Mr.V.Sudhanan Vinodhini ,Advocate, SR.No.19381/15

Tr.C.M.P.No.198 of 2015

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