

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.12.2015

CORAM :

THE HONOURABLE MS. JUSTICE R.MALA

Tr.C.M.P. No.374 of 2015

and M.P.No.1 of 2015

A.R.Arul Meena Petitioner/Respondent
Vs.

Wilfred Prakash Respondent/Petitioner

Prayer:- Petition has been filed under Section 24 of C.P.C., to withdraw and transfer I.D.O.P.No.77 of 2015 from the file of the Principal District Court, Kanyakumari at Nagercoil, to the file of the I Additional Family Court, Chennai, to be tried along with M.C.No.253 of 2015 pending on its file.

For Petitioner : Mr.J.Bharathi Raja
For Respondent : Mr.M.A.R.Pragash

O R D E R

The wife, who is the respondent in I.D.O.P.No.77 of 2015, has filed this petition to transfer the same from the file of the Principal District Court, Kanyakumari at Nagercoil, to the file of the I Additional Family Court, Chennai, to be tried along with M.C.No.253 of 2015 pending on its file.

2.Learned counsel for the petitioner submitted that the respondent/husband has filed a petition in I.D.O.P.No.77 of 2015 before the Principal District Court, Kanyakumari at Nagercoil, for divorce. He further submitted that the petitioner/wife has filed a petition in M.C.No.253 of 2015 before the I Additional Family Court, Chennai for claiming maintenance. Further, the petitioner/wife is residing in Chennai along with her son, who is studying 3rd standard. So it is difficult for her to travel from Chennai to attend the Court at Kanyakumari. Therefore, she prays that the case may be transferred from the file of the Principal District Court, Kanyakumari at Nagercoil, to the file of the I Additional Family Court, Chennai and to be tried along with M.C.No.253 of 2015.

3.Learned counsel for the respondent submitted that he has no objection to transfer the petition as sought for by the petitioner.

4.Considering the no objection given by the learned counsel for the respondent, the petition in I.D.O.P.No.77 of 2015 is ordered to be withdrawn from the file of the Principal District Court, Kanyakumari at Nagercoil and transferred to the file of the I Additional Family Court, Chennai and to be tried along with M.C.No.253 of 2015, for disposal in accordance with law. The Presiding Officer, Principal District Court, Kanyakumari at Nagercoil, is directed to transmit all the records pertaining to I.D.O.P.No.77 of 2015 within a period of two weeks from the date of receipt of a copy of this order.

5.Accordingly, this Transfer Civil Miscellaneous petition is ordered. No costs. Consequently, connected Miscellaneous Petition is closed.

-Sd/-
Asst.Registrar

/true copy/

Sub Asst. Registrar

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To

- 1.The Principal District Judge, Kanyakumari at Nagercoil.
- 2.The I Additional Judge, Family Court, Chennai.

+1 cc to Mr.J.Bharathiraja Advocate sr.69354

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