



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.06.2015

CORAM:

THE HONOURABLE MS.JUSTICE V.M. VELUMANI

Tr.C.M.P.(MD).No.430 of 2014 and
M.P.(MD).No. 1 of 2014

Rexita : Petitioner

Vs.

Gerad Arun Cruzo : Respondent

Prayer: This Transfer CMP is filed under Section 24 of CPC praying to withdraw IDOP.No.24 of 2013 from the file of District Court, Madurai and transfer the same to the any of the competent Court at Chennai.

For Petitioner : Mr.M. Saravanan
For Respondent : Mr.T.R. Jayabalan

O R D E R

This petitioner, who is the respondent in IDOP.No.24 of 2013 filed this petition, to transfer IDOP.No.24 of 2013 from the file of the District Court, Madurai, to any one of the competent Court at Chennai.

2. The petitioner herein is the wife and the respondent is the husband. The marriage between the petitioner and the respondent was solemnized on 03.06.2013 at Christu Jothi Church, Ramapuram, under the jurisdiction of Chengalpeta Diocese. After marriage, they were residing at Chennai. The respondent made allegations against the petitioner that she is not mentally well and hence, the respondent / husband filed I.D.O.P.No.24 of 2013, before the District Court, Madurai, for divorce.

3. Now, the petitioner is staying with her aged mother at Chennai. Her father died. The distance between Madurai and Chennai is approximately 485 Kilometers. The petitioner being a lady, it is very difficult for her to travel each and every hearing to attend IDOP.No.24 of 2013, before the District Court, Madurai. In the circumstances, the petitioner has filed the present petition, to transfer IDOP.No.24 of 2013, from the file of the District Court, Madurai, to any one of the competent Court at Chennai.

4. The respondent has filed counter affidavit denying all the averments made by the petitioner.



5. Heard the learned counsel appearing for both parties.

6. At the time of hearing, the learned counsel appearing for both parties submitted that IDOP.No.24 of 2013, pending on the file of District Court, Madurai, may be transferred to District Court, Chengalpet.

7. Recording the above said submissions made by the learned counsel appearing for both parties, the Transfer CMP is allowed and IDOP.No.24 of 2013, pending on the file of the District Court, Madurai, is ordered to be withdrawn and transferred to the file of the District Court, Chengalpet. The learned District Judge, Madurai, is directed to transmit the entire records pertaining to the case in IDOP.No.24 of 2013, to the transferee Court, within a week from the date of receipt of a copy of this order. The Registry is also directed to send back the papers that are pending before the Registry. No costs. Consequently, connected Miscellaneous Petition is also closed.

Sd/-

Assistant Registrar(R)

/True Copy/

Sub-Assistant Registrar

To

1. The District Court, Madurai
2. The District Court, Chengalpet
3. The Section Officer, V.R. Section,
Madurai Bench of Madras High Court, Madurai

+One cc to M/s.M.Saravanan, Advocate, SR.no.30096
+One cc to M/s.T.R.Jeyapalam, Advocate, SR.No.29832
trp
RL/6 c- 13/7/2015

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