



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 02.06.2015

CORAM

WEB COPY

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

Tr.C.M.P(MD)No.142 of 2015

and

M.P(MD)No.1 of 2015

G.Jensi Raja Sofia

... Petitioner

Vs.

P.Anantha Mathan

... Respondent

Transfer Civil Miscellaneous Petition is filed under Section 24 of Civil Procedure Code to withdraw O.P.No.970 of 2015 on the file of III Additional Family Court, Chennai and transfer the same to the file of Principal District Judge, Thoothukudi or to any other competent Court at Thoothukudi.

For Petitioner : Mr.R.Pon Karthikeyan

For Respondent : Mr.R.Aravind Raj

ORDER

The Transfer Civil Miscellaneous Petition is filed to withdraw the case in O.P.No.970 of 2015 on the file of III Additional Family Court, Chennai and transfer the same to the file of Principal District Judge, Thoothukudi or to any other competent Court at Thoothukudi.

2. The petitioner herein is the wife and the respondent is the husband. The marriage was solemnized between the petitioner and the respondent on 22.04.2005 at C.S.I. Church, Pitchivilai. The respondent and his mother sent the petitioner to her parents house. The petitioner was not allowed to enter the matrimonial home and was resisted by the respondent, his mother and brother-in-law. Subsequently, the respondent issued a notice, dated 18.02.2015 containing false allegations to give consent for divorce. The petitioner sent a reply, dated 11.03.2015. The respondent filed O.P.No.970 of 2015 before the III Additional Family Court, Chennai for Dissolution of Marriage making false allegations.

3. According to the petitioner, she is residing with her parents at Tiruchendur, which is 700 kms away from Chennai. She is not having any independent income for her day today expenses as well as travelling expenses. The petitioner's father suffered by heart attack and he had underwent Angioplasty in the year 2009 and 2014 and therefore, will not accompany with the petitioner and no one is available to accompany the petitioner to go to Chennai for hearing.

<https://www.cemilgovernmentservices.in>

4. Now, the petitioner/wife filed this petition to transfer the aforesaid O.P.No.970 of 2015 filed by the respondent/Husband

before the III Additional Family Court, Chennai to the Principal District Judge, Thoothukudi.

5. Heard the learned counsel appearing for the petitioner. Mr. R. Arvindraj, learned counsel appearing for the respondent represented that there is a possibility of re-union and settlement before the Principal District Court, Thoothukudi and have no objection to transfer to Principal District Court, Thoothukudi.

7. Accordingly, this Transfer Civil Miscellaneous Petition is allowed and O.P.No.970 of 2015 on the file of the III Additional Family Court, Chennai, is hereby withdrawn and transferred to the file of the Principal District Judge, Thoothukudi, if the same is not yet disposed of. The learned III Additional Family Court, Chennai, is directed to send the case bundles to the Principal District Judge, Thoothukudi, immediately. The Registry is also directed to send back the papers that are pending before the Registry. No costs. Consequently, M.P(MD)No.1 of 2015 is closed.

Sd/-

Assistant Registrar(T&P)

/True Copy/

Sub-Assistant Registrar

To

1.The III Additional Family Court,
Chennai.

2.The Principal District Judge,
Thoothukudi.

+One cc to M/s.R.Ponkarthikeyan, Advocate, SR.No.26883

+One cc to M/s.R.Aravindraaj , Advocate, SR.No.26871

Copy to:-

The Section Officer, V.R.Section,
Madurai Bench of Madras High Court, Madurai

am

RL/6 c- 25/6/2015

Tr.C.M.P.(MD)No.142 of 2015 and
MP(MD)No.1 of 2015