



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED 22.12.2015

CORAM:

THE HONOURABLE MR.JUSTICE T.MATHIVANAN

Tr.C.M.P (MD) No.433 of 2015
and
M.P. (MD) .No.1 of 2015

Latha Mahesh .. Petitioner
Vs.

Senthil Kumar .. Respondent

PRAYER: This Petition is filed under Section 24 of the Code of Civil Procedure, to withdraw the H.M.O.P.No.489 of 2015 from the file of the Family Court, Salem and transfer the same to the file of the Family Court, Tirunelveli.

For Petitioner : Mr.R.Karunanidhi
For Respondent : Mr.S.Krishna

ORDER

This petition is filed under Section 24 of the Code of Civil Procedure to withdraw the matrimonial proceedings in H.M.O.P.No.489 of 2015 from the file of the Family Court, Salem, and transfer the same to the file of the Family Court, Tirunelveli, for disposal.

2.The petitioner herein is the wife of the respondent. Their marriage was solemnized on 05.06.2011 and out of their wedlock, the petitioner had delivered a male child on 20.06.2012 and one female child on 02.06.2015.

3.It is alleged that since the petitioner as well as her parents were not able to satisfy the illegal demand of dowry made by the respondent, the respondent had filed a petition in H.M.O.P.No.489 of 2015 before the Family Court, Salem seeking divorce under Section 13(1)(1-a) of the Hindu Marriage Act, 1955.

4.The petitioner has stated in Para No.8 of her petition that the distance between Tirunelveli to Salem is more than 350 kms approximately and therefore, she finds it very difficult to go to Salem from Tirunelveli along with her three years old son and five months old baby and only on this ground, she has approached this Court with this petition under Section 24 of the Code of Civil Procedure to transfer the above said matrimonial proceedings from the file of the Family Court, Salem to the file of the Family Court, Tirunelveli for the disposal in the manner known to law.

5.This Court has considered the averments of the petition and the submissions made by Mr.R.Karunanidhi, learned counsel appearing for the petitioner as well as Mr.S.Krishnan, learned counsel appearing for the respondent.



6. Having been satisfied with the submissions made by the petitioner, this Court finds that in order to meet the ends of justice, this petition may be allowed as prayed for by the petitioner. Accordingly, this Transfer Civil Miscellaneous Petition is allowed and the matrimonial proceedings in H.M.O.P.No.489 of 2015 is ordered to be withdrawn from the file of the Family Court, Salem and transferred to the file of the Family Court, Tirunelveli for disposal in accordance with law. However, there shall be no order as to costs. Consequently, the connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(AS)

/True copy/

Sub Assistant Registrar

To

1. The Judge, The Family Court,
Salem.

2. The Judge, The Family Court,
Tirunelveli.

+1cc to Mr.R.Karunanidhi, Advocate SR.No.76167/15

sm:sks-rr:21.01.2016:2P/4c

Tr.C.M.P (MD) No.433 of 2015
and
M.P. (MD) .No.1 of 2015
22.12.2015