

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.09.2016

CORAM:

THE HONOURABLE MR. JUSTICE K.K.SASIDHARAN

Tr.CMP.No.298 of 2015

and MP.No.1 of 2015

G.Mahalakshmi ... Petitioner/Respondent

Vs.

C.S.Suresh Kumar ... Respondent/Petitioner

Prayer: Transfer Petition filed under Section 24 of Civil Procedure Code, praying to withdraw and transfer the original petition in F.C.O.P.No.2175 of 2013 from the file of the learned III Additional Family Court Judge at Chennai to the file of the learned Subordinate Judge at Ranipet, Vellore District.

For Petitioner : Mr.N.S.Amarnath

For Respondent : No Appearance

ORDER

The respondent in FCOP.No.2175 of 2013 on the file of the III Additional Family Court at Chennai is the petitioner in this transfer petition.

2. Heard the learned counsel appearing for the petitioner. None appears on behalf of the respondent inspite of printing his name in the cause list, after service.

3. The respondent filed FCOP.No.2175 of 2013 before the III Additional Family Court at Chennai against the petitioner praying for a decree of declaration with regard to nullity of marriage.

4. The petitioner on the other hand filed M.C.No.42 of 2014 before the III Additional Family Court at Chennai, invoking Section 125 Cr.P.C. She has also initiated proceedings under Domestic Violence Act in M.C.No.7 of 2014 before the learned

Judicial Magistrate, Ranipet. The petitioner is presently residing at Sholinghur, in the District of Vellore. She, therefore, seeks transfer of proceedings from the Court of Chennai to Vellore.

5. The learned counsel for the petitioner submitted that the petitioner would take steps for transfer of proceedings in M.C.No.42 of 2014 to a Court at Ranipet, Vellore.

6. The petitioner is stated to be a permanent resident of Vellore. According to the petitioner, it would not be possible for her to defend the proceedings in FCOP.No.2175 of 2013, in case the same is kept pending before the Court at Chennai.

7. There is nothing on record to dispute the statements made by the petitioner with regard to her difficulties to prosecute the matter before the Court at Chennai. I am therefore of the view that the matrimonial proceedings requires to be transferred.

8. The proceedings in FCOP.No.2175 of 2013 is withdrawn from the file of the III Additional Family Court, Chennai and is transferred to the Subordinate Court at Ranipet.

The transfer petition is allowed as indicated above. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Asst. Registrar.

/true copy/

Sub Asst. Registrar.

ds

To

1 The District Judge,
III Additional Family Court, Chennai

2 The Subordinate Judge,
Ranipet, Vellore District

+1 CC to M/s. Amarnath, Advocate Sr.NO.51892

Tr.CMP.No.298 of 2015

CNR (CO)

MD : 21/10/2016