

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.11.2016

CORAM:

THE HONOURABLE MR.JUSTICE K.K.SASIDHARAN

TR CMP NO.320 OF 2015

AND CMP NO.17558 OF 2016

AND M.P.NO.1 OF 2015

E.Ruby Beula Helan

... Petitioner

Versus

1.F.James Santhosh Lenin

2.The Director General of Police
Mylapore,
Chennai.

3.B.S.Babu

District Youth Wing Secretary
Thiruvallur.
Off. No.24, CTH Road,
Thirumullaivoyal,
Chennai - 600 062.

(RR2 and 3 suo motu impleaded
vide order of Court dated
12.06.2015 made in
Tr.CMP No.320/2015)

... Respondents

PRAYER: Petition filed under Section 24 of the Code of Civil Procedure with a prayer to withdraw I.D.O.P.No.194 of 2014 from the file of the Principal District Court, Thiruvallur and transfer the same to the file of Principal District Court, Thirupur.

For Petitioner : Ms.R.Meenalochini

For Respondent-1 : Mr.R.Rajkumar

O R D E R

The respondent in I.D.O.P.No.194 of 2014 on the file of the Principal District Court, Thiruvallur, has come up with this petition for transfer.

2. The proceedings in I.D.O.P.No.194 of 2014 was instituted by the respondent praying for a decree of divorce. The petitioner, who is a resident of Kangeyam, has come up with this petition for transfer.

3. The learned counsel for the respondent fairly submitted that the respondent has no objection in transferring the proceedings from the file of Principal District Court, Thiruvallur to the file of Principal District Court, Thirupur. The learned counsel for the respondent wanted to fix an outer time limit for disposal of the proceedings.

4. The petitioner is a resident of Kangeyam. According to the petitioner, it would not be possible for her to defend the proceedings in I.D.O.P.No.194 of 2014, in case the same is continued before the Principal District Court, Thiruvallur.

5. Section 19(iii-a) of the Hindu Marriage Act, permits the wife to initiate matrimonial proceedings before the Court in whose jurisdiction she is residing at the time of institution of proceedings.

6. Since the respondent has no objection in transferring the proceedings, I am of the view that the transfer petition deserves to be allowed.

7. The proceedings in I.D.O.P.No.194 of 2014 is withdrawn from the file of Principal District Court, Thiruvallur, and is transferred to the file of Principal District Court, Thirupur, for disposal on merits.

8. The learned Principal District Judge, Thirupur is directed to dispose of the matrimonial proceedings, as expeditiously as possible, and in any case, on or before 30 April 2017.

9. The Transfer Civil Miscellaneous Petition is allowed with the above observation. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

TK

To

1.The Principal District Court
Thiruvallur.

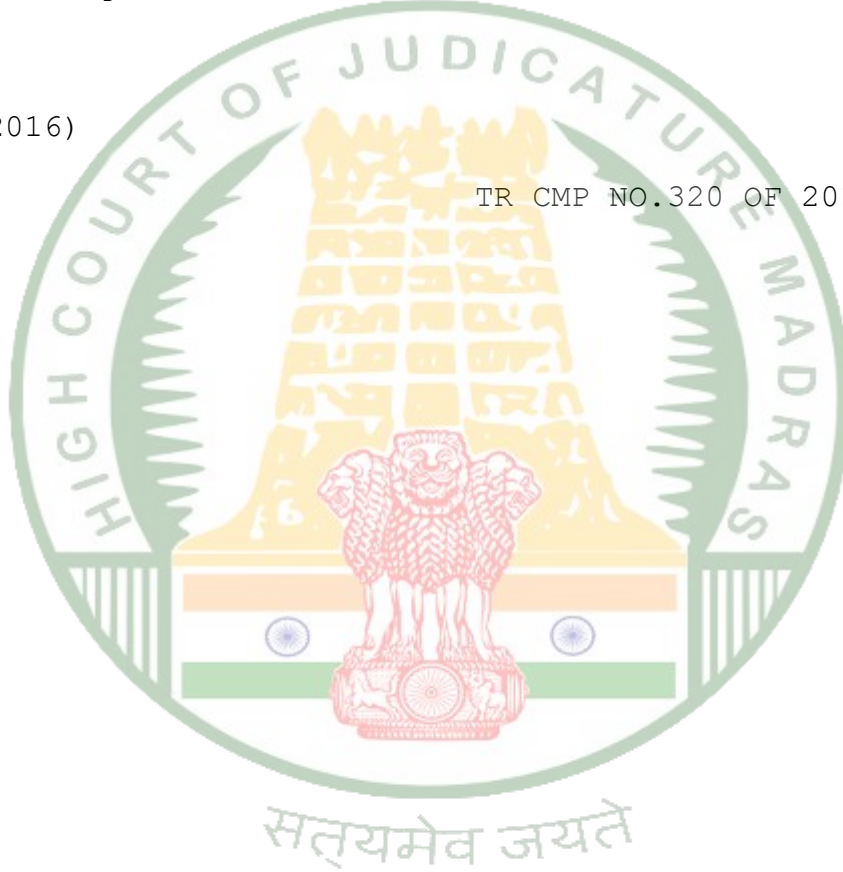
2.The Principal District Court
Thirupur.

+lcc to Mr.R. Meenalachini, Advocate, S.R.No.65306

+lcc to Mr.R.Rajukumar, Advocate, S.R.No.65123

nr(CO)
md(24/11/2016)

TR CMP NO.320 OF 2015



WEB COPY