

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.09.2016

CORAM:

THE HONOURABLE MR. JUSTICE K.K.SASIDHARAN

Tr.CMP.No.463 of 2015

D.Sakthi

.. Petitioner

Vs.

K.Dinesh

.. Respondent

Prayer: Transfer Petition filed under Section 24 of Civil Procedure Code, praying to pass an order of transfer directing the learned Family Court Judge, Chengalpattu to transfer the FCOP.No.242 of 2015 on the Principal Family Court, Chennai.

For Petitioner : Mr.K.Devaraj  
For Respondent : No Appearance

ORDER

The respondent in HMOP.No.166 of 2014 on the file of the Principal Sub Judge, Chengalpattu, which was re-numbered as FCOP.No.242 of 2015 on the file of Family Court, Chengalpattu, has come up with this transfer petition for transfer of proceedings to a Court at Chennai.

2. Heard the learned counsel appearing for the petitioner. None appears on behalf of the respondent.

3. The proceedings in FCOP.No.242 of 2015 was initiated by the respondent against the petitioner praying for a decree of divorce. The petitioner has already filed a maintenance case in M.C.No.538 of 2014 and the same is now pending before the learned III Additional Family Court at Chennai.

4. The petitioner is stated to be a permanent resident of Ayanavaram at Chennai. According to her, it would not be possible to travel all along to Chengalpattu for the purpose of prosecuting the proceedings in FCOP.No.242 of 2015.

5. There is nothing on record to suspect the bonfides in filing this petition for transfer petition. I am therefore of the view that the petitioner has made out a case for transfer.

6. In the result, the proceedings in FCOP.No.242 of 2015 is withdrawn from the file of Family Court, Chengalpattu and is transferred to the file of III Additional Family Court at Chennai for disposal on merits.

The transfer petition is allowed as indicated above.  
No costs.

-s/d-  
Assistant Registrar

True Copy

Sub-Assistant Registrar

ds

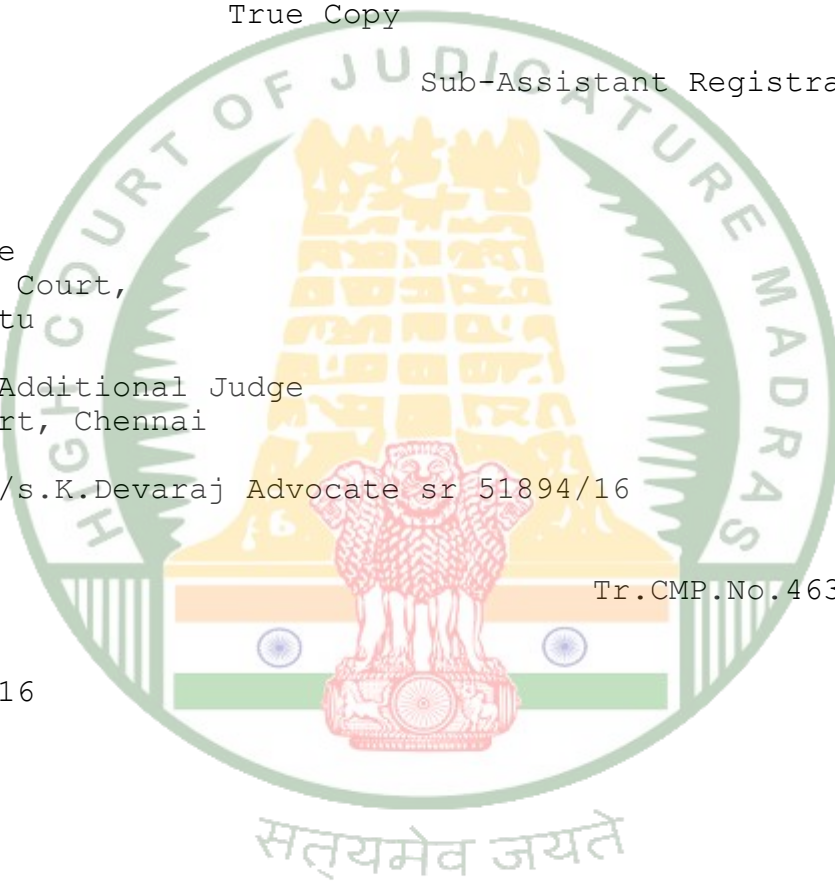
To  
1.The Judge  
The Family Court,  
Chengalpattu

2.The III Additional Judge  
Family Court, Chennai

+1 cc to M/s.K.Devaraj Advocate sr 51894/16

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