

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.04.2016

CORAM

THE HONOURABLE Mr. JUSTICE P.R.SHIVAKUMAR

Tr.C.M.P.No.643 of 2015
and
M.P.No.1 of 2015

V.Sreelatha ... Petitioner/Respondent

Vs

V.Srinivasan ... Respondent/Petitioner

Transfer Civil Miscellaneous Petition filed under Section 24 of C.P.C. to withdraw H.M.O.P.No.4 of 2014 pending on the file of the Sub-Court, Kanchipuram and to transfer the same to the Family Court, Chennai.

For Petitioner : Mr.S.Saravana Kumar

For Respondent : Mr.R.Sasikumar

O R D E R

The respondent has entered appearance through counsel. The submissions made by Mr.S.Saravana Kumar, learned counsel for the petitioner and by Mr.R.Sasikumar, learned counsel for the respondent are heard. Materials available on record are also perused.

2. The Petitioner is the wife and the respondent is the husband. The respondent-husband filed H.M.O.P.No.4 of 2014 for divorce. The petitioner-wife, who is in Chennai, pleads inconvenience to go to Kanchipuram to resist the case. The said reason has not been seriously disputed by the respondent. Further, the right conferred on the wife under Section 19[iii-a] of Hindu Marriage Act, 1955 should be liberally construed. Hence, this Court comes to the conclusion that the prayer made by the petitioner has got to be countenanced.

3. Accordingly, the Transfer Civil Miscellaneous Petition is allowed and H.M.O.P.No.4 of 2014 pending on the file of Sub-Court, Kanchipuram District is withdrawn and transferred to the file of the Principal Judge, Family Court, Chennai. No costs. Consequently, the connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

gpa

To

1. The Sub-Court
Kanchipuram
2. The Principal Judge,
Family Court,
Chennai.

+1cc to Mr.S.Saravana Kumar, Advocate, S.R.No.25226
+1cc to Mr.R.Sasikumar, Advocate, S.R.No.25964

Tr.C.M.P.No.643 of 2015
and
M.P.No.1 of 2015

GJ II(CO)
CA(11/05/2016)

सत्यमेव जयते

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