

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.09.2016

CORAM:

THE HON'BLE MR.JUSTICE K.K.SASIDHARAN

Transfer C.M.P.No.721 of 2015

and M.P.No.1 of 2015

S.Thawlath Haseena Petitioner/1st Respondent

Versus

1. Mohammed Sikkanthar

2. Jafarulla ... Respondents/Petitioner/2nd Respondent

This Petition filed under Section 24 of C.P.C. praying to withdraw the entire proceedings in G.W.O.P.No.14 of 2014 pending on the file of the District Court at Ramanathapuram and transfer the same before the Principal Family Court at Chennai.

For Petitioner : Mr.R.Sivaraman

For Respondents: No appearance

O R D E R

Heard the learned counsel for the petitioner. None appears on behalf of the respondents, in spite of printing their names in the cause list, after service through Court.

2. The first respondent filed a petition in G.W.O.P.No.14 of 2014 before the District court, Ramanathapuram, under Section 10 of Guardian and Wards Act, 1890. The petitioner, on receipt of notice, filed this Transfer Civil Miscellaneous Petition.

3. The petitioner is stated to be a permanent resident of Chennai. The proceedings in G.W.O.P.No.14 of 2014 is pending before the Family Court, Ramanathapuram. According to the petitioner, it would not be possible for her to defend the proceedings, in case, the same is allowed to be continued before the District Court, Ramanathapuram. There is nothing on record to disbelieve the case pleaded by the petitioner. I am therefore of the view that the petition in G.W.O.P.No.14 of 2014 deserves to be transferred to the Family Court at Chennai.

4. In the result, the proceedings in G.W.O.P.No.14 of 2014 is withdrawn from the file of the District Court, Ramanathapuram and is transferred to the Principal Family Court at Chennai for disposal on merits.

5. The Transfer Civil Miscellaneous Petition is allowed as indicated above. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

To

1. The District Court,
Ramanathapuram
2. The Principal Family Court,
Chennai.

+1cc to Mr.Rj.Sivaraman, Advocate Sr.53582

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gj[col]
srg 21/10/2016

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