

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.09.2016

CORAM:

THE HONOURABLE MR.JUSTICE K.K.SASIDHARAN

Transfer CMP No.725 of 2015 and

MP.No.1 of 2015

D.Anjugam

...Petitioner

versus

S.Dinaselvam

...Respondent

PRAYER: Tr.C.M.P. filed under section 24 of C.P.C., to withdraw and transfer the HMOP No.524 of 2015 pending on the Family Court, Coimbatore to Pondicherry.

For Petitioner : Mr.K.Raju

For Respondent : Mr.K.Sathish Kumar

ORDER

The parties are present before this Court pursuant to the order dated 20.09.2016.

2. The petitioner and her counsel submitted that the matter could be transferred to the Family Court at Chennai. The petitioner is presently staying at Chennai on account of the education of her daughter.

3. The learned counsel for the respondent as well as the respondent fairly submitted that the matter could be transferred to the Family Court at Chennai.

4. The parties wanted early disposal of the proceedings.

5. The petitioner filed this transfer petition with a request to transfer the proceedings to Pondicherry. She is presently staying at Chennai on account of the education of her daughter. The parties have no objection for withdrawal of the proceedings from Family Court, Coimbatore and transfer the same to Family Court, Chennai.

6. 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.

7. The proceedings in H.M.O.P.No.524 of 2015 is withdrawn from the file of Family Court, Coimbatore and is transferred to the file

of Principal Judge, Family Court, Chennai for disposal on merits.

8. The learned counsel for the petitioner contended that the respondent is not paying even the tuition fees of her daughter and as such, a direction should be issued to pay interim maintenance as well as litigation expenses. It is open to the petitioner to file appropriate application before the Trial Court for the relief regarding maintenance and litigation expenses.

9. The Principal Judge, Family Court, Chennai is requested to dispose of the proceedings as expeditiously as possible.

10. The Transfer CMP is allowed as indicated above. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Asst.Registrar

/true copy/

Sub Asst. Registrar

svki

To

- 1.The Principal Family Court, Chennai
- 2.The Family Court, Coimbatore

+1cc to M/s K. Raju, Advocate, Sr.54994

Transfer CMP No.725 of 2015

KK(CO)
RVR 25/10/2016

सत्यमेव जयते

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