

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.10.2016

CORAM:

THE HONOURABLE MR.JUSTICE K.K.SASIDHARAN

TR CMP NO.764 OF 2015
AND M.P.NO.1 OF 2015

Muthulakshmi ... Petitioner

versus

Ravichandran ... Respondent

PRAYER: Petition filed under Section 24 of the Code of Civil Procedure to withdraw the proceedings bearing F.C.O.P.No.30 of 2015 filed by the respondent herein, pending on the file of Family Court, Vellore and transfer the same to the file of Sub Judge, Thiruchirapalli.

For Petitioner : No appearance

For Respondent : No appearance

O R D E R

None appears on behalf of the petitioner. There is no appearance on behalf of the respondent also in spite of printing his name in the cause list after service.

2. The respondent initiated a proceedings in F.C.O.P.No.30 of 2015 before the Family Court, Vellore.

3. The petitioner, who is a resident of Tiruchirapalli, has come up with this transfer petition on the ground that it would not be possible for her to defend the proceedings in F.C.O.P.No.30 of 2015, in view of the distance factor. There is nothing on record to suspect the bonafides in filing this transfer petition.

4. 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.

5. The petitioner has produced sufficient materials justifying the transfer of proceedings. I am therefore of the view that the transfer petition deserves to be allowed.

6. The proceedings in F.C.O.P.No.30 of 2015 is withdrawn from the file of Family Court, Vellore and is transferred to the file of Family Court, Tiruchirapalli.

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

TK

Sd/-
Assistant Registrar (CS)

/TRUE COPY/

Sub-Assistant Registrar

To

1.The Family Court
Vellore.

2.The Family Court
Tiruchirapalli.

TR CMP NO.764 OF 2015

KS[CO]
MK:12/11/2016

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