

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.10.2016

CORAM:

THE HONOURABLE MR.JUSTICE K.K.SASIDHARAN

Transfer CMP No.768 of 2015

J.Arul Mozhi (alias) Chandrikaa
D/o Jayaraman

...Petitioner

versus

S.Chandrasekar
S/o M.Subramani

...Respondent

PRAYER: Tr.C.M.P. filed under section 24 of C.P.C., to withdraw the H.M.O.P.No.36 of 2014, pending on the file of the Sub-Ordinate Judge at Vaniyambadi and transfer the same to the file of the Sub-Judge, Thiruvannamalai.

For Petitioner : Mr.A.K.Rajaraman

For Respondent : No appearance

O R D E R

The respondent in H.M.O.P.No.36 of 2014 on the file of Subordinate Court, Vaniyambadi, is the petitioner in this Transfer Petition.

2.Heard the learned counsel for the petitioner. None appears for the respondent, inspite of printing his name in the cause list, after service.

3.The respondent initiated a proceedings for divorce before the Subordinate Court at Vaniyambadi. The matter was registered as H.M.O.P.No.36 of 2014. The petitioner on appearance before the trial Court, filed this Petition for transfer.

4.The petitioner is a permanent resident of Tiruvannamalai. The matter is now pending before the Subordinate Court, Vaniyambadi. According to the petitioner, it would not be possible for her to defend the proceedings before the Subordinate Court, Vaniyambadi.

5.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.

6. There is nothing on record to disbelieve the case pleaded by the petitioner. I am, therefore, of the view that the Transfer Petition deserves to be allowed.

7. The proceedings in H.M.O.P.No.36 of 2014, is withdrawn from the file of Subordinate Court, Vaniyambadi and is transferred to the file of Sub-Court, Thiruvannamalai.

The Transfer CMP is allowed as indicated above. No costs.

-sd/-
Assistant Registrar

/ TRUE COPY /

Sub-Assistant Registrar

rpa

To

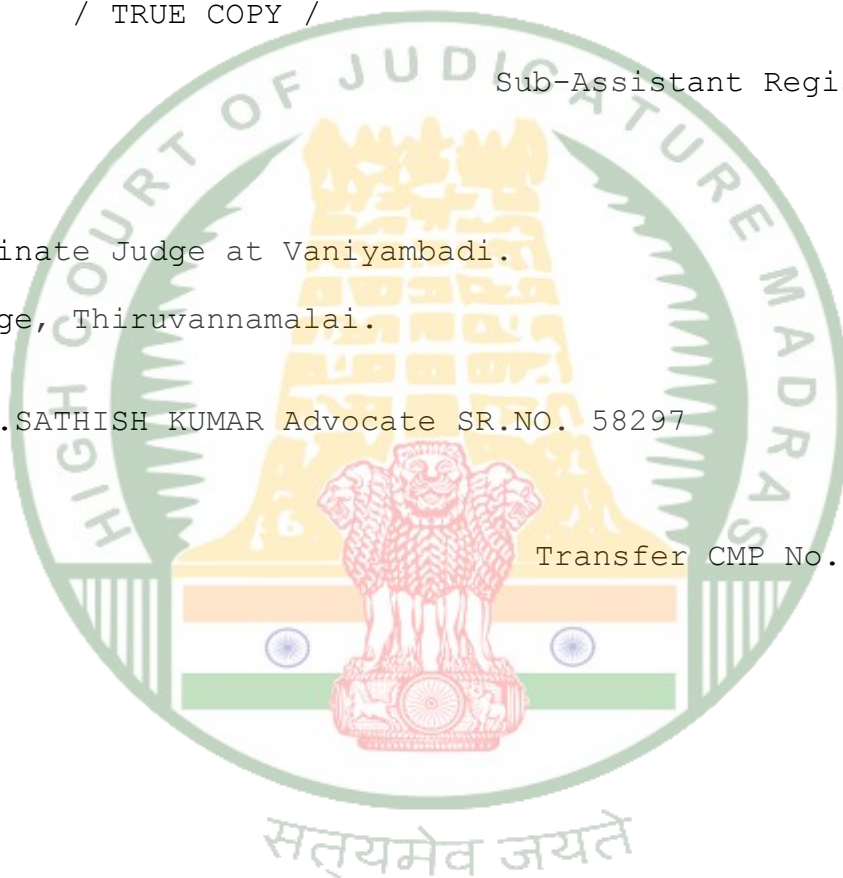
1. The Sub-Ordinate Judge at Vaniyambadi.

2. The Sub-Judge, Thiruvannamalai.

+1 cc to MR.S.SATHISH KUMAR Advocate SR.NO. 58297

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cmr[co]
RD 07/11/2016



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