

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.10.2016

CORAM:

THE HONOURABLE MR.JUSTICE K.K.SASIDHARAN

TR CMP NO.831 OF 2015

Noorunnissa

... Petitioner

versus

Prakash

... Respondent

PRAYER: Petition filed under Section 24 of the Code of Civil Procedure with a prayer to withdraw the I.D.O.P.No.16 of 2014 on the file of District Judge's Court, Thiruvannamalai and transfer the same to the learned Principal Judge, Family Court at Chennai.

For Petitioner : Ms.Daniel Mary

For Respondent : Mr.V.Vasanthkumar

O R D E R

The respondent instituted a proceedings in I.D.O.P.No.16 of 2014, before the District Court, Tiruvannamalai, praying for a decree of divorce. The petitioner is a resident of Thiruvallur District. The petitioner has come up with this petition with a request to transfer the proceedings in I.D.O.P.No.16 of 2014 to a Court at Chennai, for disposal.

2. Heard the learned counsel for the petitioner and the learned counsel for the respondent.

3. The proceedings in I.D.O.P.No.16 of 2014 is now pending on the file of District Court, Tiruvannamalai. The petitioner is a resident of Kottakkarai, in the District of Thiruvallur. According to the petitioner, it would not be possible for her to appear before the Court at Tiruvannamalai, along with her minor child, for the purpose of defending the proceedings in I.D.O.P.No.16 of 2014. There is nothing on record suspecting the bonafides in filing this transfer petition.

4. The prayer in this transfer petition is to transfer the proceedings to a Court at Chennai. The petitioner

is a resident of Thiruvallur District. There is no point in transferring the proceedings to a Court at Chennai, which is far away from the residence of the petitioner. I am therefore of the view that the transfer petition deserves to be allowed.

5. The proceedings in I.D.O.P.No.16 of 2014 is withdrawn from the file of District Court, Tiruvannamalai, and is transferred to the file of Principal District Court, Thiruvallur, for disposal on merits.

6. The Transfer Civil Miscellaneous Petition is allowed as indicated above. No costs.

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

TK

To

1. The District Judge,
Tiruvannamalai.
2. The Principal District Judge,
Thiruvallur.

TR.C.M.P.NO.831 OF 2015

KSJ(CO)
CA(30/11/2016)

सत्यमेव जयते

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