

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.10.2016

CORAM:

THE HONOURABLE MR.JUSTICE K.K.SASIDHARAN

Transfer CMP No.836 of 2015
and
MP.No.1 of 2015

G.Geethanjali

... Petitioner

versus

V.Sathishkumar

.... Respondent

PRAYER: Tr.C.M.P. filed under section 24 of C.P.C., to withdraw the case in FCOP.No.141/2015 on the file of the Family Court, Vellore and transfer the same to the file of the Principal Family Court, Chennai.

For Petitioner : Mr. A.R.Sakthivel

For Respondent : Mr.E.Kannadasan

O R D E R

The respondent initiated proceedings in FCOP.No.141 of 2015 before the Family Court at Villupuram. The Original Petition was filed for a decree of divorce.

2. The petitioner, on receipt of notice from the Family Court, has come up with this petition for transfer.

3. Heard the learned counsel for the petitioner and the learned counsel appearing on behalf of the respondent.

4. The divorce proceeding initiated by the respondent is now pending before the Family Court at Vellore. The petitioner is a permanent resident of Chennai. The petitioner has to travel four hours to reach the Court at Vellore. 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 her case for transfer. I am therefore of the view that the transfer petition deserves to be allowed.

6. The proceeding in FCOP No.141 of 2015 is withdrawn from the file of Family Court at Vellore and is transferred to the file of Principal Judge, Family Court at Chennai for disposal on merits.

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

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

ajr

To

1. The Family Court,
Vellore.
2. The Principal Family Court,
Chennai.

+1cc to Mr.E.Kannadasan, Advocate, S.R.No.57696

Transfer CMP No.836 of 2015

RK(CO)
CA(09/11/2016)

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