

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 15.04.2016

CORAM

THE HONOURABLE Mr. JUSTICE P.R.SHIVAKUMAR

Tr.C.M.P.No.145 of 2016
and C.M.P.No.3587 of 2016

Mohana Lakshami

... Petitioner

Vs

Mr.Ponmani Raja

... Respondent

Transfer Civil Miscellaneous Petition filed under Section 24 of C.P.C. to withdraw F.C.O.P.No.255 of 2015 from the file of Family Court, Chengalpet, Kanchipuram District and transfer the same to the Principal Judge, Family Court, Chennai for being heard on merits.

For Petitioner : Mr.N.Selvaraju

For Respondent : Mr.A.John Britto

O R D E R

The respondent has entered appearance through counsel. The submissions made by Mr.N.Selvaraju, learned counsel for the petitioner and by Mr.A.John Britto, learned counsel for the respondent are heard. Materials available are also perused.

2. Petitioner is the wife and the respondent is the husband. The respondent-husband filed H.M.O.P.No.255 of 2015 for dissolution of marriage. The petitioner-wife, who is in Chennai, pleads inconvenience to go to Chengalpet to resist the case. The said reason has not been seriously disputed by the respondent. Further, the right conferred on the wife under Section 19[iii-a] of Hindu Marriage Act, 1955 should be liberally construed. Hence, this Court comes to the conclusion that the prayer made by the petitioner has got to be countenanced.

3. Accordingly, the petition is allowed and F.C.O.P.No.255 of 2015 pending on the file of Family Court, Chengalpet, Kanchipuram District is withdrawn and transferred to the file of the Principal Judge, Family Court, Chennai. No costs. Consequently, the connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

gpa

To

1.The Family Court
Chengalpet
Kanchipuram District

2.The Principal Judge,
Family Court, Chennai.

+1cc to M/s. N. Selvaraju, Advocate, S.R.No.23511

+1cc to Mr.A. John Britto, Advocate, S.R.No.23654

SAI (CO)
EU(02/05/2016)

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