

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.09.2016

CORAM:

THE HONOURABLE MR. JUSTICE K.K.SASIDHARAN

Transfer CMP.No.183 of 2016
and CMP.No.5284 of 2016

M.Muthukumari

.. Petitioner/Respondent

Vs.

S.Murugesan

.. Respondent/Petitioner

Prayer: Transfer Petition filed under Section 24 of Civil Procedure Code, praying to withdraw and transfer the HMOP No.207 of 2016 pending on the file of II Additional Family Court, Chennai to Sub Court, Thoothukudi.

For Petitioner : Ms.G.Umamaheswari

For Respondent : Mr.N.Mariappan

ORDER

The petitioner has come up with this petition for transfer of the proceedings from Chennai to Thoothukudi.

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

3. The respondent initiated proceedings in H.M.O.P.No.207 of 2016 against the petitioner before the II Additional Family Court, Chennai praying for a decree of divorce. The petitioner, who is a permanent resident of Thoothukudi has come up with this transfer petition.

4. According to the petitioner, she is residing permanently at Thoothukudi along with a child of seven years. In view of the distance factor, it would not be possible for her to appear before the Court at Chennai.

5. Being a Family Court, the personal appearance of petitioner is necessary on all the dates of hearing. The petitioner therefore, seeks an order of transfer of the proceedings in HMOP No.207 of 2016 to a Court at Thoothukudi. The petitioner has given sufficient reasons for transfer. I am therefore of the view that the matter requires transfer.

6. In the result, the proceedings in HMOP No.207 of 2016 is withdrawn from the file of II Additional Family Court, Chennai and is transferred to the file of Sub Court, Thoothukudi for disposal on merits.

The transfer petition is allowed as indicated above. No costs. Consequently, connected miscellaneous petition is closed.

-s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

kmi/gya

To

1. The Judge, II Additional Family Court, Chennai
2. The Sub Judge, Thoothukudi.

+1 cc to M/s.S.Ramesh Advocate sr 53955

+1 cc to M/s.N.Mariappan Advocate sr 50706

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