

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.09.2016

CORAM:

THE HON'BLE MR.JUSTICE K.K.SASIDHARAN

Transfer C.M.P.No.202 of 2016

And

C.M.P.No.5665 of 2016

Binitha Rachel Mathew Petitioner/Respondent

Versus

A.Sivanand Respondent/Petitioner

This Petition filed under Section 24 of C.P.C. praying to withdraw D.O.P.No. 98 of 2015 on the file of the Principal District Judge, Villupuram and transfer the same to the file of the Principal District Judge, Chengalpattu.

For Petitioner : Mr.P.Visvassoundaram

For Respondent : Mr.P.M.Ramanamoorthy

O R D E R

The respondent in D.O.P.No. 98 of 2015 on the file of the Principal District Judge, Villupuram is the petitioner in the transfer petitioner.

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

3. The respondent initiated proceedings in D.O.P.No. 98 of 2015 before the file of the Principal District Judge, Villupuram, for dissolution of marriage. The petitioner is a resident of Chrompet. The petitioner seeks transfer of proceedings to a court at Chengalpattu.

4. The learned counsel for the respondent submitted that the respondent is a resident of Tindivanam and as such the matter could be transferred to a court at Chennai.

5. The petitioner is a resident of Chrompet. It would not be possible for her to attend the court at Villupuram. The respondent wanted the matter to be transferred to Chennai. There is no question of transferring the proceedings to Chennai in view of the residence of the petitioner at Chrompet and that of the respondent at Tindivanam. I am therefore of the view that the petitioner is justified in contending that it would be in the interest of both the parties to transfer the matter to a Court at Chengalpattu.

6. In the result, the proceedings in D.O.P.No. 98 of 2015 is withdrawn from the file of the Principal District Judge, Villupuram and is transferred to the file of the Principal District Judge, Chengalpattu, for disposal on merits.

7. The Transfer Civil Miscellaneous Petition is allowed as indicated above. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

To

1. The Principal District Judge,
Villupuram.
2. The Principal District Judge,
Chengalpattu.

+1cc to M/S.Achari & Antoni Associates, Advocates Sr.53895

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srg 21/10/2016