

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.10.2016

CORAM:

THE HONOURABLE MR.JUSTICE K.K.SASIDHARAN

TR CMP NO.224 OF 2016

AND CMP NO.6394 OF 2016

Varalakshmi

... Petitioner

versus

T.Ramalingam

... Respondent

PRAYER: Petition filed under Section 24 of the Code of Civil Procedure with a prayer to withdraw F.C.O.P.No.16 of 2016 on the file of the Family Court at Chengalpet and transfer the same to the Family Court at Pondicherry.

For Petitioner : Ms.D.Reenaishwariya
For Respondent : Ms.P.Meenakshi

O R D E R

The respondent in F.C.O.P.No.16 of 2016 on the file of the Family Court at Chengalpattu, is the petitioner in this transfer petition.

2. The respondent instituted a proceedings in F.C.O.P.No.16 of 2016, before the Family Court, Chengalpattu, praying for a decree of divorce. The petitioner, on the other hand, instituted a proceedings in M.C.No.5 of 2013, before the Chief Judicial Magistrate, Pondicherry, for maintenance. The request now is to transfer the proceedings to the Family Court at Puducherry.

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

4. The petitioner, who is a resident of Pondicherry, has come up with this petition for transfer of the proceedings in F.C.O.P.No.16 of 2016 to a Court at Pondicherry.

5. The proceedings in F.C.O.P.No.16 of 2016 is now pending on the file of Family Court, Chengalpattu. The petitioner is a permanent resident of Pondicherry. The petitioner is justified in her contention that it would not be possible for her to defend the proceedings in F.C.O.P.No.16 of 2016, in case it is continued before the Family Court at Chengalpattu. Even otherwise, the respondent has no objection

for allowing this transfer petition. I am therefore of the view that the transfer petition deserves to be allowed.

6. In the result, the proceedings in F.C.O.P.No.16 of 2016 is withdrawn from the file of Family Court, Chengalpattu, and is transferred to the file of Family Court, Pondicherry, for disposal on merits.

7. The learned Judge, Family Court, Pondicherry is requested to dispose of the Original Petition, as expeditiously as possible.

8. The Transfer Civil Miscellaneous Petition is allowed as indicated above. No costs. Consequently, connected civil miscellaneous petition is closed.

Sd/-
Asst.Registrar (J)

/true copy/

Sub Asst. Registrar

To

1.The Judge, Family Court
Chengalpattu.

2.The Judge, Family Court
Pondicherry.

+1 cc to M/s.Meenakshi,advocate,sr.60033

rj(co)
krd 1/12

TR CMP NO.224 OF 2016

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