

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.11.2016

CORAM:

THE HONOURABLE MR.JUSTICE K.K.SASIDHARAN

Transfer CMP No.340 of 2016 and

CMP.No.9207 of 2016

Sinthurini Veerapatravathi ...Petitioner/ Respondent

versus

T.Suresh ...Respondent/ Petitioner

PRAYER: Tr.C.M.P. filed under section 24 of C.P.C., to withdraw the petition in HMOP No.96 of 2016, pending on the file of the Family Court at Trichirappalli and transfer the same to Sub Court at Tambaram.

For Petitioner : Mr. G.Justin

For Respondent : Mr.V.Ilanchezhian

O R D E R

The respondent in HMOP No.96 of 2016 on the file of the Family Court at Trichirappalli is the petitioner in this transfer petition.

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

3. The proceeding initiated by the respondent is pending before the Family Court at Trichirappalli. The petitioner is a resident of East Tambaram at Chennai. According to the petitioner, it would not be possible for her to travel from Chennai to Trichirappalli for the purpose of defending the proceedings before the Family Court at Trichirappalli. Since the trial court is the family court, the appearance of the petitioner is compulsory. The petitioner therefore seeks transfer.

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 given sufficient reasons justifying her request for transfer. I am therefore of the view that the transfer petition deserves to be allowed.

6. The proceeding in HMOP No.96 of 2016 is withdrawn from the file of Family Court at Trichirappalli and is transferred to the file of Subordinate Court at Tambaram for disposal on merits.

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

Sd/-
Asst.Registrar (J)

/true copy/

Sub Asst. Registrar

ajr

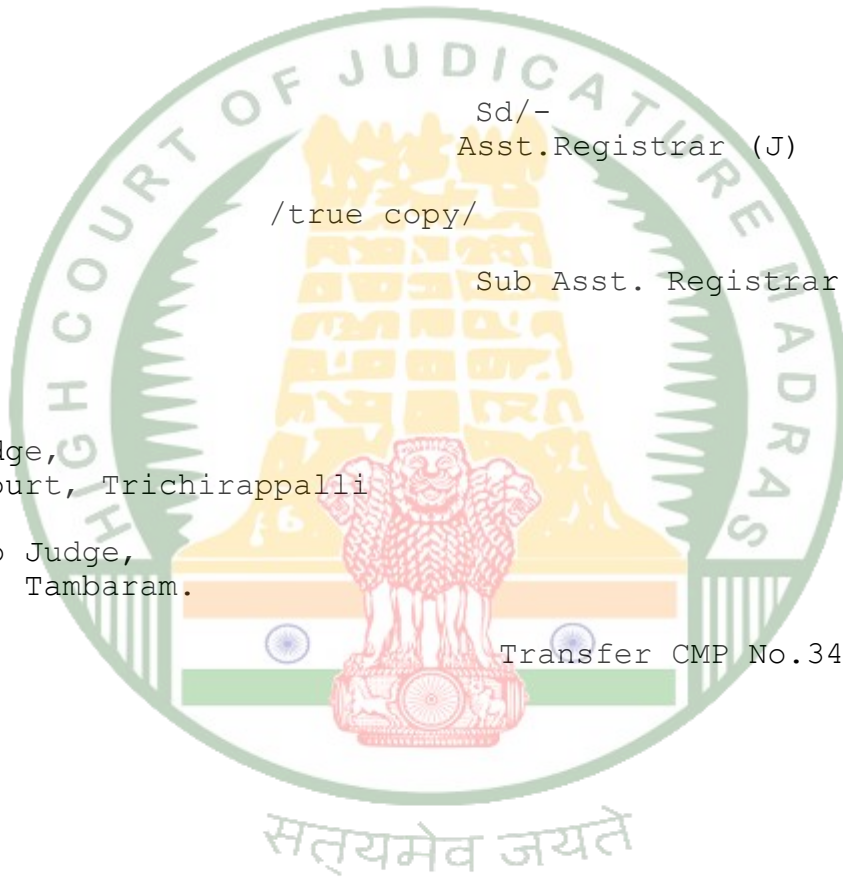
To

1. The Judge,
Family Court, Trichirappalli

2. The Sub Judge,
Sub Court, Tambaram.

Transfer CMP No.340 of 2016

NMI (CO)
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