

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.11.2016

CORAM:

THE HONOURABLE MR.JUSTICE K.K.SASIDHARAN

TR CMP NO.409 OF 2016
AND CMP NO.10925 OF 2016

V.Snega

... Petitioner

Versus

J.Stanley

... Respondent

PRAYER: Petition filed under Section 24 of the Code of Civil Procedure with a prayer to withdraw the IDOP No.6 of 2016 now pending before the I Additional District Judge, Madurai and transfer the same to the Family Court, Chennai.

For Petitioner : Mr.R.Esakki Raja
For Respondent : Mr.T.Balaji

O R D E R

The respondent initiated a proceedings in IDOP No.6 of 2016 before the First Additional District Court, Madurai, invoking Section 32 of the Divorce Act.

2. The petitioner, who is a resident of St.Thomas Mount, at Chennai has come up with this petition for transfer.

3. The learned counsel for the respondent fairly submitted that the respondent has no objection in transferring the proceedings to a Court at Tambaram, instead of Family Court, Chennai, where the personal appearance of the respondent is compulsory.

4. The learned counsel for the petitioner, on instructions from the petitioner, who is present in Court, submitted that the matter could be transferred to the file of Sub Court, Tambaram instead of Family Court, Chennai.

5. The proceedings in IDOP No.6 of 2016 is now pending before the First Additional District Court, Madurai. The petitioner is justified in her contention that being a resident of Chennai, it would be very difficult for her to appear before the Trial Court at Madurai. Moreover, the respondent himself has no objection in transferring the matter to a Court at Tambaram. I am therefore of the view that the transfer petition deserves to be allowed.

6. The proceedings in IDOP No.6 of 2016 is withdrawn from the file of First Additional District Court, Madurai and is transferred to the file of Sub Court, Tambaram, for disposal on merits.

7. The learned counsel for the petitioner contended that the certificates of the petitioner are with the respondent and a direction should be issued to him to hand over the same to the petitioner. It is open to the petitioner to make appropriate application before the Sub Court at Tambaram to redress her grievance.

8. The Transfer Civil Miscellaneous Petition is disposed of with the above direction. No costs. Consequently, connected civil miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

TK

To

1.The First Additional District Judge,
Madurai.

2.The Subordinate Judge, Tambaram.
Tambaram.

+ 1 cc to Mr.K.Bhawatharini, Advocate Sr.62890
+ 1 cc to Mr.A. Thiyagaranan, Advocate Sr.63165

सत्यमेव जयते

TR CMP NO.409 OF 2016

LRS (CO)
EU 16.12.16

WEB COPY