

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.10.2016

CORAM:

THE HONOURABLE MR.JUSTICE K.K.SASIDHARAN

Transfer CMP No.436 of 2016 and

CMP.No.11806 of 2016

M.Jeenathkili @ Jeevitha

...Petitioner

versus

R.Seenivasan

...Respondent

PRAYER: Tr.C.M.P. filed under section 24 of C.P.C., to withdraw the case in HMOP No.182 of 2016 from the learned Family Judge at Madurai and to transfer the same to the file of Family Court at Chennai.

For Petitioner : Mr. V.Vijayasurya  
For Respondent : No appearance

O R D E R

The respondent initiated proceedings in HMOP.No.182 of 2016 before the Family Court at Madurai, praying for a decree of divorce. The petitioner, who was arrayed as respondent in the said proceeding, has come up with this petition for transfer.

2. Heard the learned counsel for the petitioner. None appears on behalf of the respondent, inspite of printing his name in the cause list.

3. The petitioner is a resident of Chennai. According to the petitioner, it would be very difficult for her to appear before the Family Court at Madurai for the purpose of defending the proceedings in HMOP No.182 of 2016.

4. The transfer petition is not opposed by the respondent by filing counter.

5. 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.

6. The petitioner has given justifiable reasons for transfer of the proceedings. I am therefore of the view that the petition deserves to be allowed.

7. The proceeding in HMOP No.182 of 2016 is withdrawn from the file of Family Court at Madurai and is transferred to the file of Family Court at Chennai for disposal on merits.

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

-s/d-  
Assistant Registrar

True Copy

Sub-Assistant Registrar

ajr

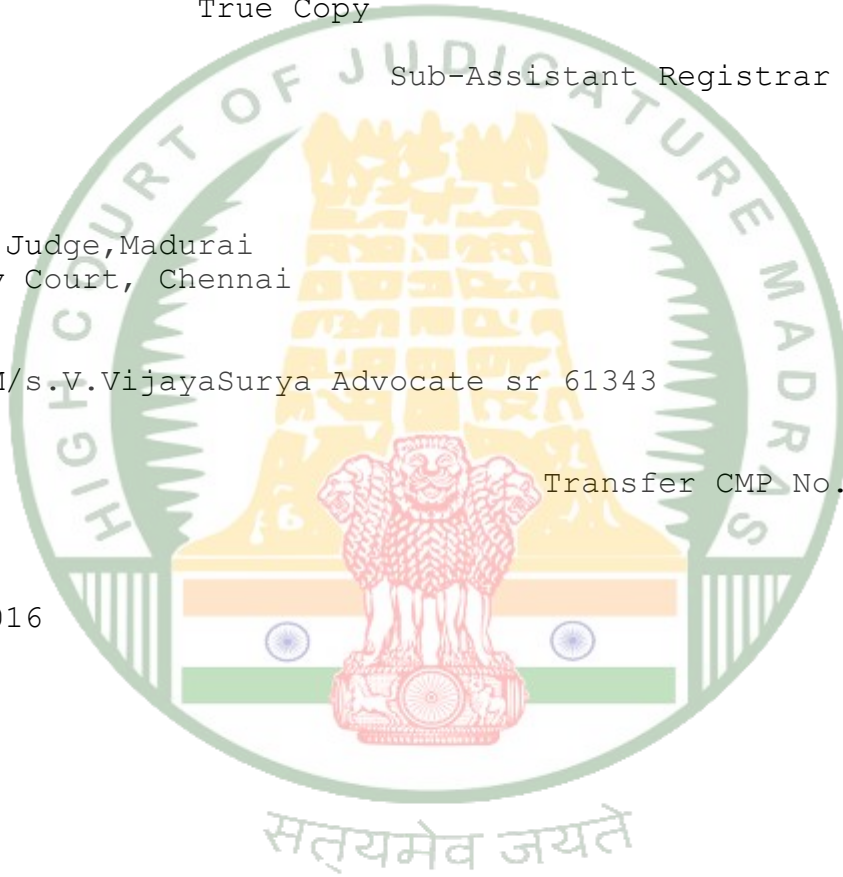
To

1. Family Judge, Madurai
2. Family Court, Chennai

+1 cc to M/s.V.VijayaSurya Advocate sr 61343

Transfer CMP No.436 of 2016

rsk(co)  
aa23/11/2016



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