

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.11.2016

CORAM:

THE HONOURABLE MR.JUSTICE K.K.SASIDHARAN

Transfer CMP No.446 of 2016 and

CMP.No.11967 of 2016

L.Ashwini ...Petitioner

versus

Muvendhan ...Respondent

PRAYER: Tr.C.M.P. filed under Section 24 of C.P.C., to withdraw the petition for restitution of conjugal rights filed by the respondent in HMOP No.279 of 2016 now pending on the file of Family court, Pondicherry and transfer the same to the file of Family Court, Chennai.

For Petitioner : Mr.S.John J.Raja Singh
For Respondent : Ms.Christy Lydia

O R D E R

The respondent initiated proceedings in HMOP No.279 of 2016 before the Family Court at Pondicherry, praying for a decree under Section 9 of the Hindu Marriage Act. The petitioner has come up with this petition for transfer of the proceedings to the Family Court at Chennai.

2. Heard the learned counsel for the petitioner.

3. The learned counsel for the respondent on instructions submitted that the respondent has no objection in transferring the proceedings from the Family Court at Puducherry to the Family Court at Chennai.

4. The petitioner is a resident of Koyambedu at Chennai. The proceedings initiated by the respondent in HMOP No.279 of 2016 is now pending before the Family Court at Puducherry.

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. In view of the reasons found mentioned in the affidavit filed in support of the transfer petition and no objection given by the respondent, the transfer petition deserves to be allowed.

7. The proceedings in H.M.O.P.No.279 of 2016 is withdrawn from the file of Family Court, Puducherry and is transferred to the file of Family Court, Chennai, for disposal on merits.

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

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

svki

To

- 1.The Judge the Family Court, Puducherry
- 2.The Judge the Family Court, Chennai

+2cc to Mr.P.M. Surendra Kumar, Advocate, S.R.No.67293

ssi(CO)
md(30/11/2016)

Transfer CMP No.446 of 2016

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