

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.10.2016

CORAM:

THE HONOURABLE MR.JUSTICE K.K.SASIDHARAN

TR CMP NO.487 OF 2016

AND CMP NO.13334 OF 2016

E.Chitra ... Petitioner

versus

C.Thamodharan ... Respondent

PRAYER: Petition filed under Section 24 of the Code of Civil Procedure to withdraw F.C.O.P.No.36 of 2016 now pending on the file of the Family Court at Vellore and transfer the same to Family Court, Chennai.

For Petitioner : Mr.S.Mohan  
For Respondent : Ms.Sathya Sai Eswari  
for Mr.P.Chandrasekar

O R D E R

The respondent initiated proceedings in F.C.O.P.No.36 of 2016 before the Family Court, Vellore, against the petitioner. It was initiated for a decree of divorce. The petitioner on receipt of notice from the Trial Court, filed this petition for transfer.

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

3. The petitioner is a resident of Uthandi at Chennai. According to the petitioner, it would be difficult for her to appear before the Family Court, Vellore for the purpose of defending the proceedings in F.C.O.P.No.36 of 2016.

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 produced sufficient materials justifying the transfer. In fact, there is nothing on record suspecting the bonafides in filing this transfer petition. I am therefore of the view that the transfer petition deserves to be allowed.

6. The proceedings in F.C.O.P.No.36 of 2016 is withdrawn from the file of Family Court, Vellore and is transferred to the file of First Additional Family Court, Chennai, for disposal on merits.

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

-sd/-

Assistant Registrar

/ TRUE COPY /

Sub-Assistant Registrar

TK

To

1.The Judge Family Court  
Vellore.

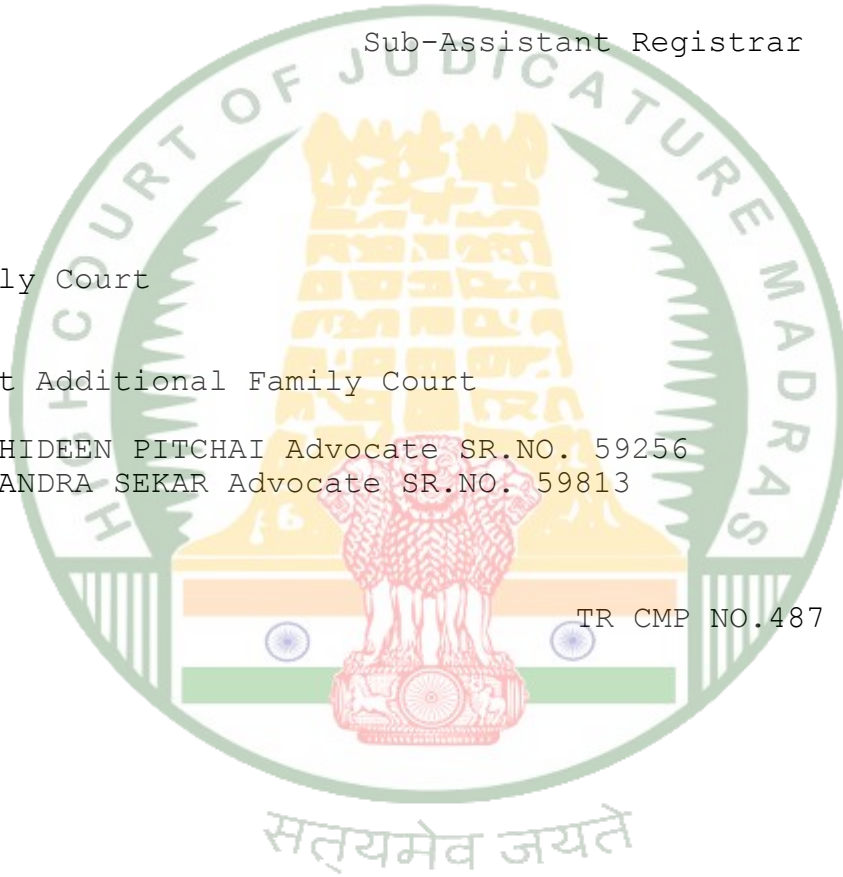
2.The Judge First Additional Family Court  
Chennai.

+2 cc to MR.M.MOHIDEEN PITCHAI Advocate SR.NO. 59256

+1 cc to MR.P.CHANDRA SEKAR Advocate SR.NO. 59813

TR CMP NO.487 OF 2016

lrs[co]  
RD 12/11/2016



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