

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 26.02.2016

CORAM

THE HONOURABLE Mr. JUSTICE P.R.SHIVAKUMAR

Tr.C.M.P.No.53 of 2016
and C.M.P.No.964 of 2016

K.Bhuvaneswari

... Petitioner

Vs

M.Kesavan

... Respondent

Transfer Civil Miscellaneous Petition filed under Section 24 of C.P.C. to withdraw and transfer the H.M.O.P.No.363 of 2015 from the file of the learned District Family Court, Erode to the learned District Family Court at Trichy.

For Petitioner : Mr.S.Manoharan
For Respondent : Mr.V.S.Kesavan

O R D E R

The respondent has entered appearance through counsel. The submissions made by the counsel for the petitioner and also by the counsel for the respondent are heard.

2. Petitioner is the wife and the respondent is the husband. The respondent-husband filed H.M.O.P.No.363 of 2015 for divorce. The petitioner-wife, who is in Trichy pleads inconvenience to go to Erode to resist the case, since she is having a child aged about one year and she is not having anyone to assist her to undertake travel from Trichy to Erode as her father is also a cancer patient. The above said reasons are not seriously disputed by the respondent. Further, the right conferred on the wife under Section 19[iii-a] of Hindu Marriage Act, 1955 should be liberally construed. Hence, this Court comes to the conclusion that the prayer made by the petitioner has got to be countenanced.

3. Accordingly, the petition is allowed and the H.M.O.P.No.363 of 2015 pending on the file of the Family Court, Erode is withdrawn from the file of the Family Court, Erode and

transferred to the file of the Family Court, Trichy. No costs.
Consequently, the connected Miscellaneous Petition is closed.
gva

-s/d-
Assistant Registrar (CS-IV)

True Copy

Sub-Assistant Registrar

To

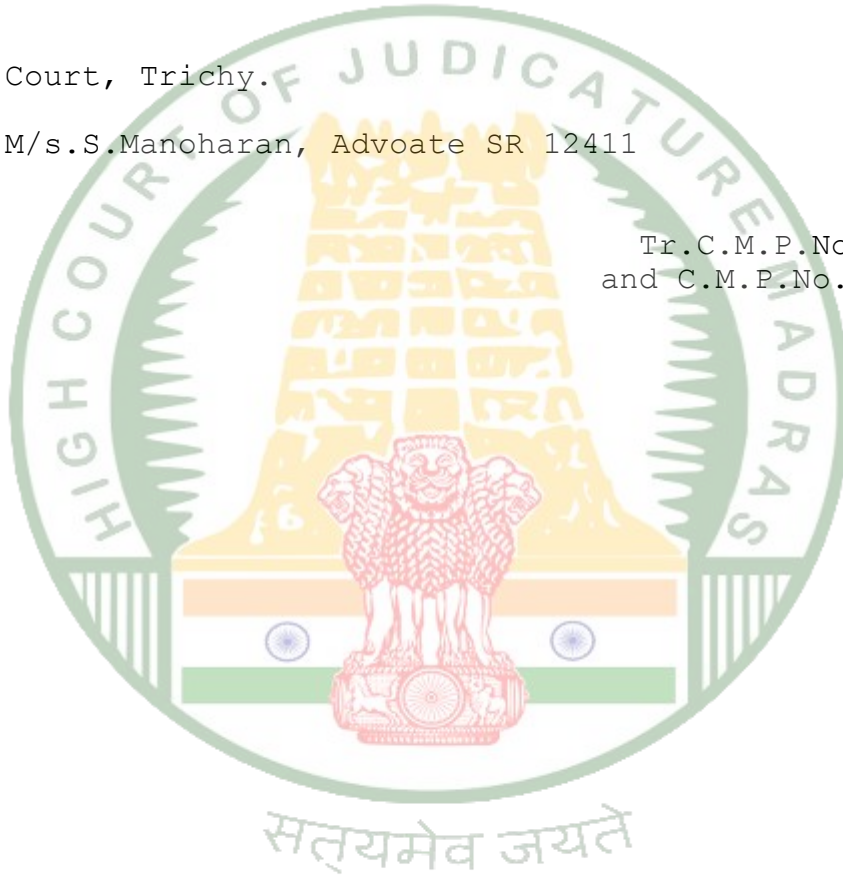
1. Judge,
Family Court, Erode.

2. Judge,
Family Court, Trichy.

+ 1 cc to M/s.S.Manoharan, Advocate SR 12411

rsk(co)
prk8/3

Tr.C.M.P.No.53 of 2016
and C.M.P.No.964 of 2016



WEB COPY