

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.11.2016

CORAM:

THE HONOURABLE MR.JUSTICE K.K.SASIDHARAN

Tr.C.M.P.No.562 of 2016

S.Kalaiyarasi : Petitioner

versus

J.John Francis Xavier : Respondent

Transfer Petition filed to withdraw and transfer IDOP No.121 of 2014 on the file of District Court, Tiruvallur to the Family Court, Chengalpat

For Petitioner : Ms.N.Alamelu Mangai

For Respondent : Ms.I.Navaneetha Rani

ORDER

The respondent initiated proceedings in IDOP No.121 of 2014 before the District Court Tiruvallur, praying for a decree of divorce. The petitioner who was arrayed as respondent in the original petition is before this Court with a request to transfer the proceedings.

2. The respondent filed a counter affidavit wherein it was indicated that the matter is now ripe for trial and as such, there is no need for transfer.

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

4. The petitioner is a resident of Metukuppam, Thuraipakam, Chennai. The respondent is a resident of Avadi. The proceedings in IDOP is pending before the District Court, Tiruvallur. According to the petitioner, it would not be possible for her to travel all along from Thuraipakkam to Tiruvallur for defending the proceedings in IDOP No.121 of 2014.

5. The respondent is employed in a BPO at Chennai. In fact, he is also a resident of Avadi. There would not be any difficulty to the parties in case the matter is transferred from Tiruvallur to a Court at Chennai. I am therefore of the view that the transfer petition deserves to be allowed.

6. The proceedings in IDOP No.121 of 2014 is withdrawn from the file of District Court, Tiruvallur and is transferred to the file of I Additional Judge, Family Court, Chennai, for disposal on merits. The learned Trial Judge is directed to dispose of the proceedings as expeditiously as possible.

7. The transfer petition is disposed of with the above direction. No costs. Consequently, C.M.P.No.15264 of 2016 is closed.

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Sd/-
Assistant Registrar
/TRUE COPY/
Sub-Assistant Registrar

To

1.The District Judge,
Tiruvallur.

2.The I Additional Family Judge,
Chennai.

+1CC to MR.N.ALAMELU MANGAI Advocate SR.NO.68664

Tr.C.M.P.No.562 of 2016

VSN[CO]
MK:02/01/2017

सत्यमेव जयते
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