

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.12.2016

CORAM

THE HON'BLE Mrs. JUSTICE PUSHPA SATHYANARAYANA

Tr.C.M.P.No.576 of 2016
and
C.M.P.No.15740 of 2016

K.Geetharani

... Petitioner

Vs.

S.Arunkumar

... Respondent

Transfer Civil Miscellaneous Petition filed under Section 24 of the Code of Civil Procedure praying to withdraw the HMOP No.578 of 2015 pending on the file of the Sub Court, Poonamallee and to transfer the same to the file of Sub Court, Tirupattur.

For petitioner : M/s.T.Dharani

For respondent : Mr.G.M.Shankar

ORDER

The present transfer petition has been filed by the petitioner / wife against the respondent / husband for transfer of HMOP No.578 of 2015 pending on the file of the Sub Court, Poonamallee to the Sub Court at Tirupattur.

2. Admittedly, the respondent/husband has filed HMOP No.578 of 2015 before the Sub Court, Poonamallee against the petitioner/wife under Section 12(1)(d) of the Hindu Marriage Act, 1955.

3. In para No.7 of the affidavit in support of the petition for transfer, it is stated that the respondent/husband is working in Avadi, Chennai and hence he has filed the above petition before the Sub Court at Poonamallee. She has further stated that she is staying with her parents at Tirupattur and therefore, it would be difficult for the petitioner/wife to go to the Sub Court at Poonamallee for each and every hearing. Hence the present petition seeking transfer.

4. Considering the facts and circumstances of the case and

also taking into account the fact that the respondent/husband is living in Chennai and that the petitioner is living in Tirupattur, the HMOP No.578 of 2015 filed by the respondent/husband before the Sub Court, Poonamallee is withdrawn and is transferred to the file of the Family Court at Vellore. The Court below is directed to transmit all the papers pertaining to the above petition immediately to the Family Court at Vellore, after receipt of a copy of this order.

5. The transfer petition is ordered accordingly. No costs. Consequently, the connected miscellaneous petition is closed.

sd/
Assistant Registrar(CS VII)

/true copy/

Sub Assistant Registrar

vj2

To

1. The Subordinate Judge, Poonamallee
2. The Judge, Family Court, Vellore.

+1 CC to Mr. GM.Shankar Advocate SR 74854

+1 CC to Mr. T. Dhanraj Advocate SR 73955

सत्यमेव जयते

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