

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.11.2016

CORAM

THE HONOURABLE MR.JUSTICE K.K.SASIDHARAN

Tr.C.M.P.Nos.633 and 634 of 2016 and
C.M.P.Nos.16901 and 16902 of 2016

Tr.C.M.P.No.633 of 2016:

V.Anthony Mary .. Petitioner

-vs-

1.B.Vivekanandan

2.Mathew ..

Respondents

Tr.C.M.P.No.634 of 2016:

V.Anthony Mary .. Petitioner

-vs-

B.Vivekanandan ..

Respondent

Tr.C.M.P.No.633 of 2016 filed under Section 24 of the Civil Procedure Code, to transfer the case pending on the file of the Family Court, Madurai in IDOP No.33 of 2016 to the Family Court, Chennai.

Tr.C.M.P.No.634 of 2016 filed under Section 24 of the Civil Procedure Code, to withdraw and transfer the case pending on the file of the Family Court, Madurai in GWOP No.22 of 2016 to the Family Court, Chennai.

For Petitioner in both
the Tr.CMPs. :: Mr.S.Gopinathan

For Respondents in both :: No appearance
the Tr.CMPs.

COMMON ORDER

These two proceedings are at the instance of the respondent in IDOP No.33 of 2016 and GWOP No.22 of 2016 on the file of the Family Court, Madurai.

2.Heard the learned counsel for the petitioner.

3.Even though the name of the respondent is printed in the cause list after service, none appeared.

4.The first respondent in Tr.C.M.P.No.633 of 2016 and the respondent in Tr.C.M.P.No.634 of 2016, filed a petition in IDOP No.33 of 2016 before the Family Court, Madurai. He filed another petition in GWOP No.22 of 2016 before the Family Court at Madurai with regard to guardianship.

5.According to the petitioner, she finds it very difficult to travel from Chennai to Madurai for the purpose of defending the case in IDOP No.33 of 2016 and GWOP No.22 of 2016. There is nothing on record to suspect her bona fides. Therefore, I am of the view that these petitions deserve to be allowed.

6.The proceedings in IDOP No.33 of 2016 and GWOP No.22 of 2016 are withdrawn from the file of the Family Court, Madurai and transferred to the file of the Family Court, Chennai for disposal on merits.

7.The transfer CMPs are allowed as indicated above. No costs. Consequently, the connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

KM

To

- 1.The Family Court Judge, Madurai.
- 2.The Family Court Judge, Chennai.

+1cc to Mr.S.Gopinathan, Advocate Sr.70032

Tr.C.M.P.Nos.633 and
634 of 2016 and
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16902 of 2016

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srg 26/12/2016