

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.03.2016

CORAM

THE HONOURABLE Mr. JUSTICE P.R.SHIVAKUMAR

Tr.C.M.P.No.74 of 2016
and
C.M.P.No.1727 of 2016

P.Latha ... Petitioner/Respondent

Vs

D.Palaniandi ... Respondent/Petitioner

Transfer Civil Miscellaneous Petition filed under Section 24 of C.P.C. to withdraw and transfer the H.M.O.P.No.73 of 2015 on the file of the Principal Sub Judge, Virudhachalam filed by the respondent to the Principal Judge, Family Court, Chennai.

For Petitioner : Mr.Thambi S.Devendran

For Respondent : Mr.S.Subramanian

O R D E R

The respondent has entered appearance through counsel. The submissions made by Mr.Thambi S.Devendran, learned counsel for the petitioner and by Mr.S.Subramanian, learned counsel for the respondent are heard. Materials available are also perused.

2. Petitioner is the wife and the respondent is the husband. The respondent-husband filed H.M.O.P.No.73 of 2015 for dissolution of marriage. The petitioner-wife, who is in Chennai, pleads inconvenience to go to Virudhachalam to resist the case. The said reason has not been 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the petition is allowed and the H.M.O.P.No.73 of 2015 pending on the file of the Principal Sub Court, Virudhachalam is withdrawn from the file of the Principal Sub Court, Virudhachalam and transferred to the file of the Principal Judge, Family Court, Chennai. No costs. Consequently, the connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

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To

- 1.The Principal Sub Judge,
Virudhachalam.
- 2.The Principal Judge,
Family Court, Chennai.

+lcc to Mr.Thambi S.Devendran, Advocate, S.R.No.17568
+lcc to Mr.S.Subramaniyan, Advocate, S.R.No.18006

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SCD(CO)
CA(01/04/2016)

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