



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.10.2016

CORAM:

THE HONOURABLE Mr. JUSTICE S.M.SUBRAMANIAM

Tr.C.M.P(MD)No.489 of 2015

and M.P(MD)No.1 of 2015

Anitha

... Petitioner

Vs.

Praveen Raja Chripugg

... Respondent

PRAYER: Transfer Civil Miscellaneous Petition filed under Section 24 r/w 151 of C.P.C., to withdraw and transfer the petition in G.W.O.P.No.162 of 2013 on the file of the Principal District Court, Chengalpattu to the Principal District Court, Virudhunagar at Srivilliputhur.

For Petitioner

: Mr.M.Solaisamy

O R D E R

The Transfer Civil Miscellaneous Petition is filed to withdraw and transfer the petition in G.W.O.P.No.162 of 2013 on the file of the Principal District Court, Chengalpattu to the District Court, Virudhunagar at Srivilliputhur.

2.The marriage between the petitioner and the respondent was solemnized on 28.12.2007 as per Christian Rituals and due to the continuous torture made by the respondent, the petitioner was forced to leave the matrimonial home along with her child.

3.Out of the wed lock, a male child was born and now aged about 4 years. In order to harass the petitioner, the respondent filed I.D.O.P.No.183 of 2012 before the Principal District Court, Chengalpattu for the custody of the 4 year old son.

4.The petitioner contended that she is having three children and the respondent filed a petition seeking the custody of the third son alone. The petitioner further states that she has to look after all the three children and not having any sources of income and depending on her parents. This apart, she cannot attend the court at Chengalpattu since two children are studying in a school at Sivakasi. Hence, the present petition.

5.Notice served to the respondent and he is not represented in person or through pleader.



6.Considering the facts and circumstances of the case, this Court is of the opinion that the balance of convenience is in favour of the petitioner and accordingly, the petition deserves to be considered. Hence, the petition is allowed and G.W.O.P.No.162 of 2013 pending before the Principal District Court, Chengapattu is ordered to be transferred to Principal District Court, Srivilliputhur. No costs. Consequently, connected M.P.is closed.

Sd/-

Assistant Registrar (AS)

/True copy/

Sub Assistant Registrar

To

1.The Principal District Judge, Chengalpattu.

2.The Principal District Judge, Virudhunagar at Srivilliputhur.

Tr.C.M.P. (MD) No.489 of 2015
25.10.2016

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SH/SKS-RR:30.11.2016:2P/3C