



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.10.2016

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THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

TR.C.M.P (MD) No.433 of 2016

and

C.M.P (MD) No.8681 of 2016

K.Babu

... Petitioner

Vs.

R.Sonia

... Respondent

Prayer: The Transfer Civil Miscellaneous Petition is filed under Section 24 of Civil Procedure Code to withdraw the case on the file of the Family Court, Madurai in H.M.O.P.No.648 of 2016 and transfer the same to the Family Court, Chennai.

For Petitioner : Mr.S.Deenadhayalan

For Respondent : Mr.M.Maharajan

O R D E R

The Transfer Civil Miscellaneous Petition is filed seeking to withdraw the case on the file of the Family Court, Madurai in H.M.O.P.No.648 of 2016 and transfer the same to the Family Court, Chennai.

2. The marriage between the petitioner and the respondent was solemnized on 13.02.2011, as per Hindu Rites and Customs at Madurai. The present petition is filed by the petitioner, who is the husband on the ground that the respondent/wife is also working as teaching faculty in SRR Engineering College, Padur, Kelampakkam, Chennai and therefore, it will be convenient for the parties to attend the case at Chennai and adjudicate effectively.

3. The learned counsel for the respondent opposed the petition by stating that the respondent is taking treatment and she is a native of Madurai and her parents are at Madurai. Therefore, the petition is to be dismissed.

4. The admitted facts between the respective parties are that both the petitioner and the respondent are working at Chennai and residing there. When such being the factual position, the contention of the respondent that her parents are residing at Madurai need not be considered. When the respondent/wife herself



is employed and residing at Chennai continuously, it will be convenient for both the parties to attend the case at Chennai itself. Hence, the petition filed by the petitioner deserves to be considered. Accordingly, the Transfer Civil Miscellaneous Petition is allowed and the H.M.O.P.No.648 of 2016 pending on the file of the Family Court, Madurai is ordered to be transferred to the file of the Family Court, Chennai forthwith. No costs. Consequently, the connected Miscellaneous petition is closed.

Sd/

Assistant Registrar(Writs)

/TRUE COPY/

Sub Assistant Registrar

To

1. The Family Court, Madurai.

2. The Family Court, Chennai.

+1cc to M/s.M.Maharaja, Advocate, in SR No.64081.

+1cc to M/s.S.Deenadhayalan, Advocate, in SR No.64559.

TR.C.M.P. (MD) No.433 of 2016
25.10.2016

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