

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.10.2017

CORAM

THE HONOURABLE Mrs. JUSTICE PUSHPA SATHYANARAYANA

Tr.C.M.P.No.158 of 2017
and
CMP.No.2970 of 2017

N.Kalpana

...

Petitioner

Versus

R.Devid @ Jayakumar

...

Respondent

Prayer: Petition filed under Section 24 of the Civil Procedure Code praying to withdraw and transfer HMOP No.144 of 2016 on the file of Family Court, Tiruvallur to Family Court at Chennai.

For Petitioner : Mr.P.D.Theyzovathi

For Respondent : No appearance

WEB COPY

ORDER

This Transfer Civil Miscellaneous Petition is filed by the petitioner/wife seeking to withdraw HMOP No.144 of 2016, filed by the respondent/husband on the file of Family Court, Tiruvallur and transfer the same to the Family Court, Chennai.

2. Heard the learned counsel for the petitioner. Despite the name of the counsel for the respondent as well as the respondent being printed in the cause list, there is no representation on behalf of the respondent.

3. In the affidavit filed in support of this petition, it is stated that the respondent herein has filed H.M.O.P.No.144 of 2016, before the Family court, Tiruvallur, for divorce. The petitioner/wife states that she is living with her parents who are aged, along with her 3 year old daughter, in Chennai and therefore, it is extremely difficult for her to travel along with her child to attend each and every hearing at Family Court, Tiruvallur. Hence, she has filed the above petition for transfer.

4. Considering the above facts and circumstances and the fact that

Section 19(iii-a) of the Hindu Marriage Act, gives preference for the wife in respect of the place where she resides, this Court deems it fit to transfer the said H.M.O.P. 144 of 2016 pending on the file of Family Court, Tiruvallur to Family Court at Chennai.

5. Accordingly, the Transfer Civil Miscellaneous Petition is allowed and H.M.O.P.No.144 of 2016 pending on the file of Family Court, Tiruvallur shall stand withdrawn and transferred to the file of Family Court, Chennai. No Costs.

25.10.2017

arr

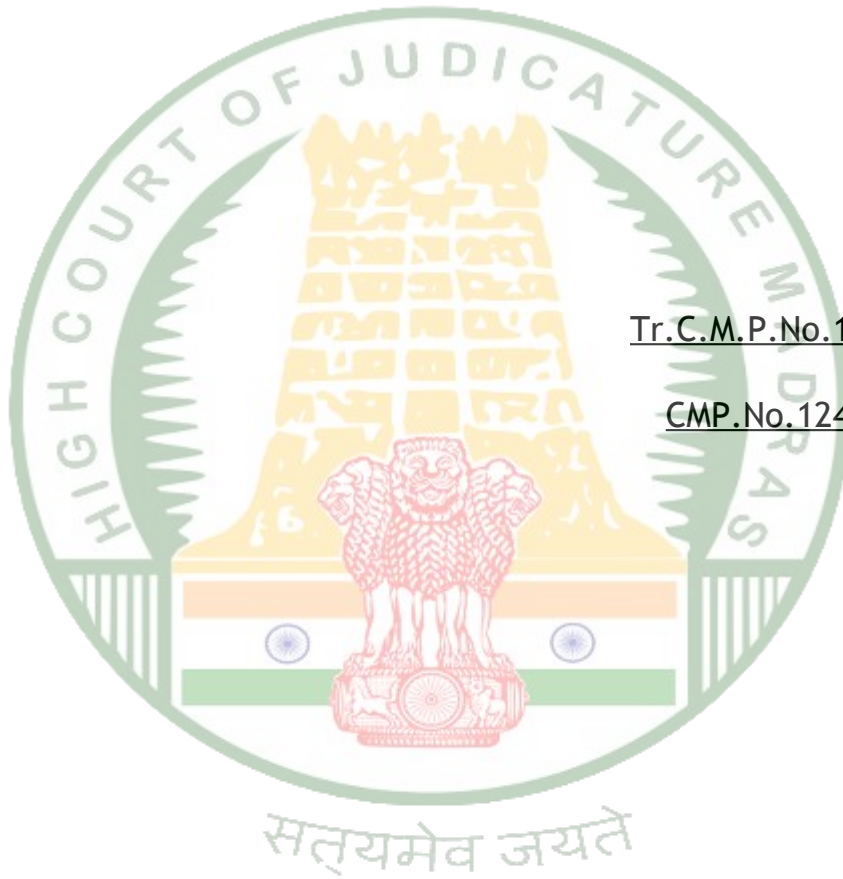
To

1. The Family Court, Tiruvallur
2. The Family Court, Chennai

WEB COPY

PUSHPA SATHYANARAYANA,J

arr



Tr.C.M.P.No.158 of 2017
and
CMP.No.12415 of 2017

WEB COPY

25.10.2017