

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.10.2017

C O R A M

THE HONOURABLE Mrs.JUSTICE PUSHPA SATHYANARAYANA

Tr.C.M.P.No.682 of 2014
and M.P.No.1 of 2014

Uma @ V.Ankitha

.. Petitioner

-Vs-

A.Joseph @ Raja

.. Respondent

Transfer Civil Miscellaneous Petition filed under Section 24 of C.P.C praying to withdraw and transfer the D.O.P.No.16 of 2012 from the file of the District Judge, Nagapattinam to the Family Court, Chennai.

For petitioner Mr.C.Prakasam
For respondent ... Served-No Appearance

O R D E R

The wife has filed this Transfer Civil Miscellaneous Petition seeking to transfer the D.O.P.No.16 of 2012 from the file of the District Court, Nagapattinam to the Family Court, Chennai.

2. D.O.P.No.16 of 2012 is filed by the respondent-husband before the District Court, Nagapattinam for restitution of conjugal rights under Section 32 of the Indian Divorce Act, 1869.

3. It is the grievance of the petitioner in the affidavit filed in support of this petition that out of the wed lock, she is having 10 years male child. Her father had already expired and now she is depending on her old aged mother. She is not able to attend every hearings at Nagapattinam, since the respondent has not been appearing before the District Judge, Nagapattinam and the matter is frequently adjourned. She feels that being a woman, she could not able to travel by bus alone from Chennai to Nagapattinam, which is far away about 400 kms from her residence. Further, she could not afford expenses for attending Court at Nagapattinam. Hence, she prays for transfer.

4. Though the respondent had been served with notice and his name having been printed in the cause list, there is

no representation for the respondent either in person or through counsel.

5. Taking into consideration the above grievances of the petitioner and also taking note of the fact that in the matrimonial proceedings, the wife's convenience has to be given importance, this Tr.C.M.P is ordered and D.O.P.No.16 of 2012 pending on the file of the District Court, Nagapattinam shall stand withdrawn and transferred to the file of the Family Court, Chennai. No costs. Consequently, connected miscellaneous petition is closed.

-sd/-

Assistant Registrar

True Copy

Sub-Assistant Registrar

srn

To

1. The District Judge, Nagapattinam
2. The Judge, Family Court, Chennai.

+1 C.C. to MR.C.Prakasam Advocate SR.NO.73073

Tr.C.M.P.No.682 of 2014
and M.P.No.1 of 2014

VS 28.10.2017

सत्यमेव जयते

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