

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:28.07.2017

CORAM:

THE HONOURABLE MR.JUSTICE M.GOVINDARAJ

TR CMP NO.422 of 2017
AND CMP NO.8765 of 2017

A.Alagammai

... Petitioner

versus

S.Saravanan

... Respondent

PRAYER: Petition filed under Section 24 of the Code of Civil Procedure to withdraw the H.M.O.P No. 110 of 2017 now pending before the Principal Sub Judge, Trichy by withdrawing from the said court and to transfer the same to Family Court, Chennai.

For Petitioner : Mr.M.Balachandar

For Respondent : No appearance

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ORDER

The petitioner has filed this transfer petition with a prayer to withdraw the proceedings in H.M.O.P No. 110 of 2017 from the file of

<http://www.judis.nic.in> Principal Sub Court, Trichy and transfer the same to the file of Family

Court, Chennai.

2. Heard the learned counsel for the petitioner. Even though the respondent was served, none appeared on behalf of the respondent.

3. The learned counsel for the petitioner would submit that she is working as an Assistant Professor at SIET College, Chennai and therefore, it is very difficult for her to avail leave for defending the proceedings before the Principal Sub Court, Trichy and hence, she seeks for transferring the same to the Family Court at Chennai.

4. Section 19(iii-a) of the Hindu Marriage Act, permits the wife to initiate matrimonial proceedings before the Court in whose jurisdiction she is residing at the time of institution of proceedings.

5. The petitioner has produced sufficient materials justifying the transfer. In fact, there is nothing on record suspecting the *bonafides* in filing this transfer petition. Considering the physical inconvenience caused to the petitioner, this Court is of the view that the transfer petition deserves to be allowed.

6. The proceedings in H.M.O.P.No.110 of 2017 is withdrawn from the file of Principal Sub Court,Trichy and is transferred to the file of Principal Family Court, Chennai, for disposal on merits.

7. The Transfer Civil Miscellaneous Petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

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Index : Yes/No
Internet : Yes/No
bsm/tk

To

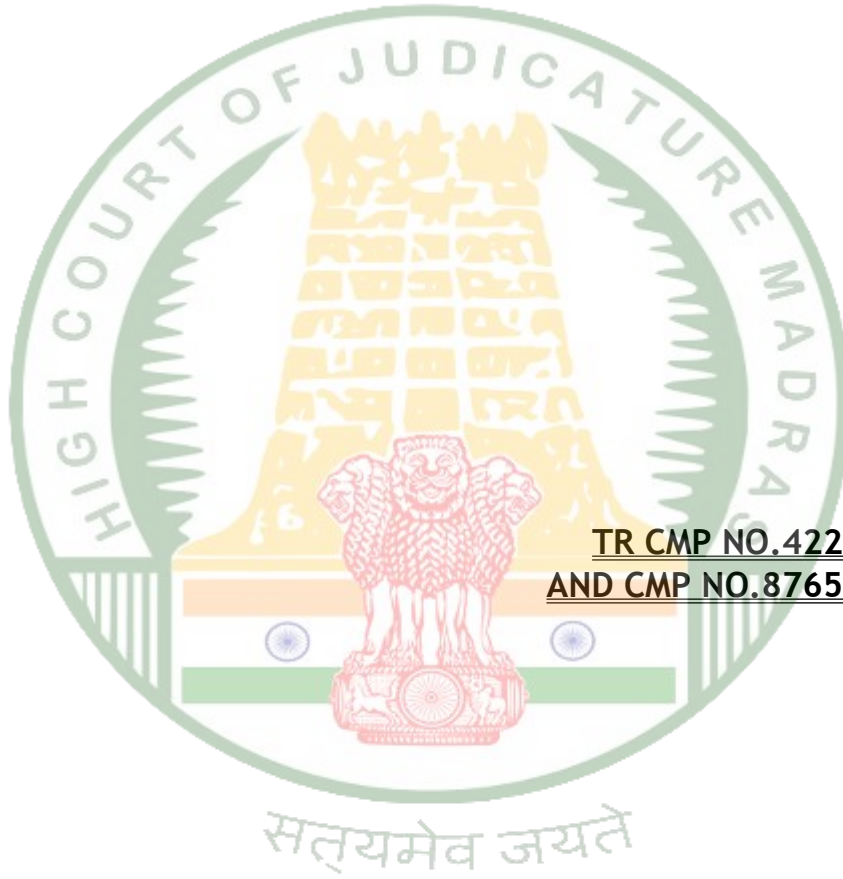
1) The Principal Sub-Court,
Trichy.

2) The Principal Family Court,
Chennai.

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M.GOVINDARAJ, J.

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