

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:28.07.2017

CORAM:

THE HONOURABLE MR.JUSTICE M.GOVINDARAJ

TR CMP NO.426 of 2017
AND CMP NO.8826 of 2017

Rajapriya

... Petitioner

versus

P.Karthikeyan

... Respondent

PRAYER: Petition filed under Section 24 of the Code of Civil Procedure to withdraw the suit in H.M.O.P No. 177 of 2017 on the file of Sub-Court Tambaram and Transfer the same to the file to the file of Family Court, Puducherry.

For Petitioner : Mr.Prakash Adiapadam
For Respondent : Mr.S.Ganesh

ORDER

The petitioner has filed this transfer petition with a prayer to withdraw the proceedings in H.M.O.P No. 177 of 2017 from the file of Sub-Court, Tambaram and transfer the same to the file of Family

Court, Puducherry.

2. Heard the learned counsel for the petitioner and the learned counsel appearing on behalf of the respondent.

3. The petitioner is a resident of Mudhaliyarpet, Puducherry. The respondent instituted a proceedings before the Sub-Court, Tambaram. According to the petitioner, it would not be possible for her to travel a long distance from Puducherry to Tambaram, for the purpose of defending the proceedings in H.M.O.P.No.177 of 2017.

4. The learned counsel for the respondent would submit that the respondent apprehends threat to his life from the side of the petitioner, if he goes over to puducherry for defending the proceedings. Therefore, he seeks for transferring the proceedings to a different place.

5. Considering the rival contentions, this Court is of this considered opinion to transfer the case to a neutral turf. Taking into account the physical inconvenience caused to the wife and the apprehension raised by the husband, the case is transferred to the file of Family Court, Tindivanam.

6. Accordingly, The proceedings in H.M.O.P.No.177 of 2017 is withdrawn from the file of Sub-Court,Tambaram and is transferred to the file of Family Court, Tindivanam, for disposal on merits.

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

28.07.2017

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

To

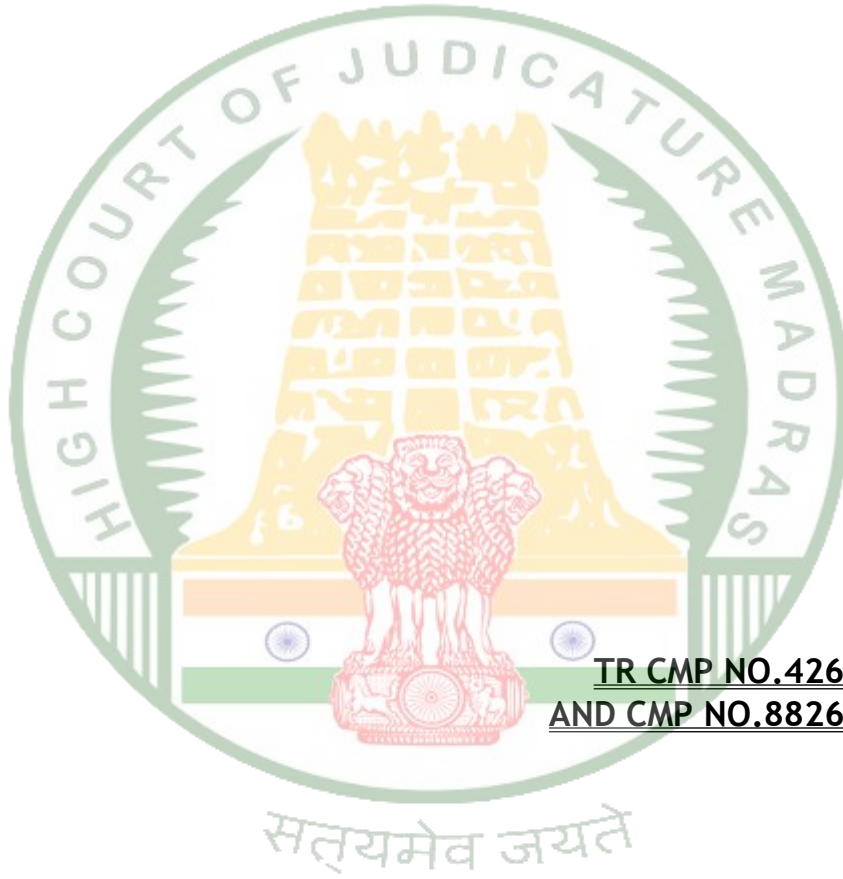
- 1) The Sub-Court,
Tambaram.
- 2) The Family Court,
Tindivanam.



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M.GOVINDARAJ, J.

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