

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.10.2017

CORAM

THE HONOURABLE Mrs. JUSTICE PUSHPA SATHYANARAYANA

Tr.C.M.P.No.480 of 2017
and
C.M.P.No.9963 of 2017

J.Aditya ... Petitioner

Versus

A.C.Varun Karthick ... Respondent

Prayer: Petition filed under Section 24 of the Civil Procedure Code praying to withdraw the H.M.O.P.No.3104 of 2016 on the file of the III Additional Family Court at Chennai and transfer the same to the Family Court at Coimbatore.

For Petitioner : Mr.A.S.Narasimhan

For Respondent : Mr.Ku.R.Jayah

ORDER

This petition has been filed by the petitioner/wife seeking to withdraw the H.M.O.P.No.3104 of 2016, on the file of the III Additional Family Court, Chennai and transfer the same to the Family Court, Coimbatore.

2. Heard both sides.

3. In the affidavit filed in support of this petition, the petitioner states that the marriage between the petitioner and the respondent was solemnized on 22.11.2015 at Coimbatore. Due to misunderstanding that arose between them, the respondent/husband has filed H.M.O.P.No.3104 of 2016, on the file of III Additional Family Court, Chennai for divorce. The petitioner states that she is unemployed and her father is a retired person and economically weak. Hence, it is very difficult for her to spend for travel from Coimbatore to Chennai to attend the proceedings pending on the file of Family Court, Chennai. Therefore, she has filed the above petition seeking 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. 3104 of 2016 pending on the file of III Additional Family Court, Chennai to Family Court at Coimbatore.

5. Accordingly, the Transfer Civil Miscellaneous Petition is allowed and H.M.O.P.No.3104 of 2016 pending on the file of III Additional Family Court, Chennai shall stand withdrawn and transferred to the file of Family Court, Coimbatore. No Costs. consequently, connected M.P. is closed.

Sd/-
Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

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To

1. The III Additional Family Court at Chennai
2. The Family Court, Coimbatore.

+1cc to Mr.A.S.Narasimhan, Advocate, S.R.No.75614

Tr.C.M.P.No.480 of 2017

SV(CO)
CS/04/12/17

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