

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.10.2017

CORAM

THE HONOURABLE Mrs. JUSTICE PUSHPA SATHYANARAYANA

Tr.C.M.P.No.758 of 2017

and CMP. No.15429 of 2017

S.Archanadevi

... Petitioner

Vs

K.Mohanaprasad

... Respondent

Transfer Civil Miscellaneous Petition filed under Section 24 of C.P.C. to pass an order to withdraw HMOP No.459 of 2017 from the file of the learned Sub Court, Tambaram and transfer the same to the learned Family Court, Madurai.

For Petitioner : Mr.M.V.Venkatasheshan

For Respondent : Mr.S.Raghuman

O R D E R

This transfer petition is filed by the wife seeking transfer of H.M.O.P.No.459 of 2017 pending on the file of the Sub Court, Tambaram to the Family Court, Madurai.

2. The respondent-husband filed a petition under Section 13 (1) (i-a) of the Hindu Marriage Act before the Sub Court, Tambaram for dissolution of marriage held between the petitioner and the respondent on 20.01.2016. It is stated that the petitioner-wife filed a maintenance case before the Additional Chief Judicial Magistrate Court, Perambalur in M.C.No.30 of 2016 and the respondent has entered appearance.

3. It is the grievance of the petitioner-wife that she is jobless though having studied M.E. (Computer Science). Her mother is only a home maker. She does not have sufficient income to look after herself and her aged widowed mother. She further submits that she is the native of Madurai and has no relatives within the jurisdiction of the Sub Court, Tambaram. Hence, she seeks for transfer.

4. Heard the learned counsel for the petitioner and the learned counsel for the respondent and perused the materials available on record.

5. The learned counsel appearing for the respondent-husband has got no serious objection for transferring the petition.

6. Considering the submission made by the learned counsel for the petitioner and as the respondent has got no objection in transferring the petition to the Family Court, Madurai, this Tr.C.M.P is allowed and H.M.O.P.No.459 of 2017 pending on the file of the Sub Court, Tambaram shall stand withdrawn and transferred to the file of the Family Court, Madurai to be tried along with M.C.No.30 of 2016. No costs. Consequently, connected miscellaneous petition is closed.

-sd/-
Assistant Registrar

True Copy

Sub-Assistant Registrar

srn

To

1. The Sub Judge, Tambaram
2. The Family Court Judge, Madurai.

+1 C.C. to MR.M.V.Venkateshan Advocate SR.NO.74192/17

+1 C.C. to MR.R.Radhapandian Advocate SR.NO.74251/17

सत्यमेव जयते

Tr.C.M.P.No.758 of 2017
and
CMP. No.15429 of 2017

KGK (CO)
VS 10.11.2017

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