

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.02.2017

C O R A M

THE HONOURABLE Mrs.JUSTICE PUSHPA SATHYANARAYANA

Tr.C.M.P.No.614 of 2015
and M.P.No.1 of 2015

P.Annapurani

.. Petitioner

-Vs-

S.Jambunathan

.. Respondent

Transfer Civil Miscellaneous Petition filed under Section 24 of C.P.C praying to withdraw and transfer of the proceedings in H.M.O.P.No.213 of 2015 pending on the file of the Court of the Sub Judge, Tambaram to the file of the Family Court, Madurai.

For petitioner ... Ms.Ramapriya Gopalakrishnan
For respondent ... No Appearance

O R D E R

Out of the wedlock between the petitioner-wife and the respondent-husband, a girl child was born and the child in the custody of the petitioner. At present, the petitioner is living with her parents in Madurai. The petitioner-wife filed H.M.O.P.No.303 of 2015 before the Family Court, Madurai for restitution of conjugal rights, in which, the respondent-husband attended counselling. As a counter blast, the respondent-husband filed H.M.O.P.No.213 of 2015 before the Sub Court, Tambaram. Since the petitioner-wife is residing in Usilampatti (Madurai District), along with her parents, she finds it difficult to travel from Usilampatti to Tambaram. It is stated that the petitioner could not attend the hearings in Tambaram Court, Chennai along with the child and that her mother aged about 70 years also could not accompany her. Hence, she has filed this transfer petition.

2. Heard the learned counsel for the petitioner. In spite of notice having been served on the respondent and the name of the respondent having been printed in the cause list, the respondent has not chosen to appear either in person or through counsel.

3. Taking into consideration the above grievances expressed by 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this Tr.C.M.P. is ordered and H.M.O.P.No.213 of 2015 pending on the file of the Sub Court Tambaram shall stand withdrawn and transferred to the Family Court, Madurai. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

srn

To

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

+ 2 ccs to M/s. Ramapaiya Gopalakrishnan, Advocate SR.12842

Tr.C.M.P.No.614 of 2015
and M.P.No.1 of 2015

RR(CO)
Eu 17.3.17

सत्यमेव जयते

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