

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.01.2017

CORAM:

THE HONOURABLE MRS.JUSTICE PUSHPA SATHYANARAYANA

Tr.C.M.P.No.660 of 2015

and M.P.No.1 of 2015

K.Meenakshi .. Petitioner
Vs.
J.Dharmaraj .. Respondent

Transfer Civil Miscellaneous Petition filed under Section 24(1) of the Civil Procedure Code praying to withdraw and transfer the case in I.A.No.1268 of 2015 in H.M.O.P.No.7669 of 2015 from the file of the Principal Judge, Family Court, Chennai and transfer the same to the Subordinate Judge, Devakottai.

For petitioner: Mr.S.Bharath

For respondent: Mr.R.Ravi

ORDER

The wife in a matrimonial dispute, has filed this Tr.C.M.P. to transfer H.M.O.P.No.7669 of 2015 from the file of the Principal Judge, Family Court, Chennai, along with I.A.No.1268 of 2015, to Sub-Court, Devakottai.

2. The marriage between the petitioner and respondent was solemnised on 04.09.2014 and H.M.O.P. is filed on 20.07.2015 which is less than a year of the marriage. Therefore, I.A.No.1268 of 2015 is filed for dispensing with one year period. Since the matter is pending before the Family Court, Chennai, the contention of the wife is that it is difficult for her to travel from Karaikudi to Chennai for each hearing. It is also stated that she has got an infant. Considering the plight of the wife who has to travel with the small child every time to the Family Court, Chennai from Devakottai, this Court is inclined to transfer H.M.O.P.No.7669 of 2015 along with the pending I.A., to Sub-Court, Devakottai. The only objection raised by the respondent-husband is that he is having a shop and finding it difficult to manage his day-to-day life. It is equally tough for the wife and child to come to Chennai.

Accordingly, the Tr.C.M.P. is allowed and H.M.O.P.No.7669 of 2015 along with I.A.No.1268 of 2015 pending on the file of the Principal Judge, Family Court, Chennai, shall be transferred to the Sub-Court, Devakottai. No costs. The Miscellaneous Petition is closed.

Sd/-
Asst.Registrar (CS III)

/true copy/

Sub Asst. Registrar

Copy to

1. The Principal Judge, Family Court, Chennai.

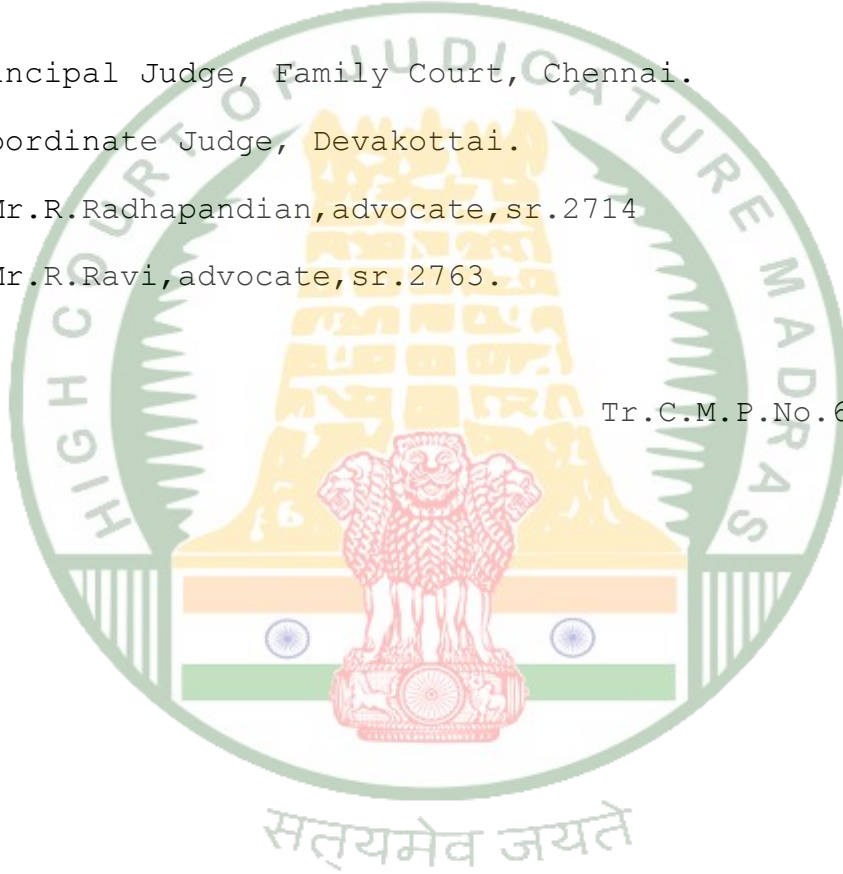
2. The Subordinate Judge, Devakottai.

+1 cc to Mr.R.Radhapandian,advocate,sr.2714

+1 cc to Mr.R.Ravi,advocate,sr.2763.

ss(co)
krd 1/2

Tr.C.M.P.No.660 of 2015



WEB COPY