

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :12.10.2017

CORAM :

THE HONOURABLE Mrs. JUSTICE PUSHPA SATHYANARAYANA

Tr.C.M.P. No.511 of 2016
and
C.M.P.No.13736 of 2016

Rathimeena @ Rathai Kalai Raja @ Jose Rathai ... Petitioner

Vs.

V.Kalai Raja Respondent

Prayer:- Petition has been filed under Section 24 of C.P.C praying to withdraw the H.M.O.P.No.1044 of 2015 on the file of the I Additional Family Court, Chennai and transfer the same to the Family Court, Trichy.

For Petitioner : Mr.J.Ganesh
For Respondent : Mr.R.Tholgappian

O R D E R

The wife in a matrimonial proceedings has filed the above transfer Civil Miscellaneous Petition seeking to withdraw the H.M.O.P.No.1044 of 2015 pending on the file of the I Additional Family Court, Chennai and transfer the same to the file of Family Court, Trichy. The husband had filed the above H.M.O.P.No.1044 of 2015 under Section 13 (1) (i-a) & (i-b) of the Hindu Marriage Act before the I Additional Family Court, Chennai for divorce on the ground of cruelty and desertion.

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

3. It is stated by the petitioner that out of the wedlock, a female child was born to them, who is now aged about three years. It is also stated that she is jobless and residing in her parents house along with her minor child at Trichy. Hence, she could not travel such long distance from Trichy to Chennai, which would run about 320 kms. Hence, she sought for transfer.

4. The learned counsel appearing for the respondent/husband has got no serious objection for the said transfer.

5. Taking into consideration the grievance expressed by the petitioner and also taking into account the fact that the respondent has got no objection in transferring the petition to the Family Court, Trichy, this Tr.C.M.P is allowed and H.M.O.P.No.1044 of 2015, pending on the file of the I Additional Family Court, Chennai, shall stand withdrawn and transferred to the file of the Family Court, Trichy . No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Asst.Registrar (CS IV)

/true copy/

Sub Asst. Registrar

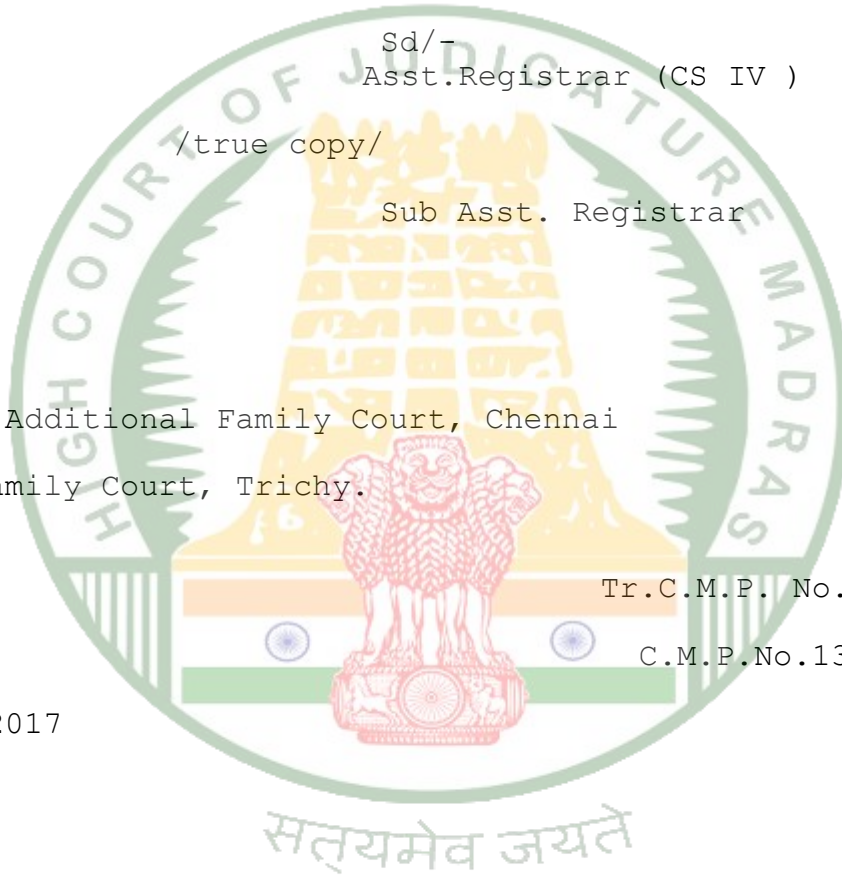
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To

1. The I Additional Family Court, Chennai
2. The Family Court, Trichy.

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NR 10/11/2017



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