

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.10.2017

C O R A M

THE HONOURABLE Mrs.JUSTICE PUSHPA SATHYANARAYANA

Tr.C.M.P.No.660 of 2016
and
C.M.P.No.17399 of 2016

P.L.Sweetlin Queen

.. Petitioner

-VS-

1.T.Sankar

2.Kailasapathy
Principal
A.V.G.Vidhyalaya Matriculation School,
Kovilambakkam,
Chennai

.. Respondents

Transfer Civil Miscellaneous Petition filed under Section 24 of C.P.C praying to withdraw the Spl.M.Act.O.P.No.4 of 2016 pending on the file of the Family Court, Thiruchirapalli and transfer the same to the Family court at Chennai.

For petitioner ... Mr.T.Easwaradhas
For Respondent-1 ... Mr.L.Ramu
For Respondent-2 ... Not ready in notice

O R D E R

This transfer petition is filed by the wife in a matrimonial dispute seeking transfer of Spl.M.Act.O.P.No.4 of 2016 filed by the husband under Section 27(a)(d) of the Special Marriage Act, 1994 before the Family Court, Tiruchirapalli for dissolution of marriage held between the petitioner and the first respondent on 18.01.2016.

2. It is stated by the petitioner that the petitioner's marriage though having been registered at Trichirapalli, they did not live together at Trichirapalli. They have a daughter aged about 9 years studying in Chennai, where the petitioner lived together with her husband (first respondent) till desertion. It is the grievance of the petitioner that she is not having financial support for attending the hearings in Court at Trichirapalli, which is about 350 kms from Chennai. Furthermore, he does not have any relative or friend at

Trichirapalli for her to stay during the Court proceedings. It is further stated that the first respondent-husband is working in Chennai and hence, if the said Spl.M.Act.O.P.No.4 of 2016 pending on the file of the Family Court, Trichirapalli is transferred to the Family Court, Chennai, there would not be any hardship to the first respondent-husband. She also seeks transfer on the ground that she is in custody of her minor daughter whom she has to look after.

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

4. The learned counsel appearing for the first respondent-husband has got no serious objection for transferring the O.P.No.4 of 2016 from Trichirapalli to any of the Family Courts at Chennai.

5. Considering the submissions made by the learned counsel for the petitioner and as the first respondent has got no objection in transferring the petition to any of the Family Courts at Chennai, this Tr.C.M.P is allowed and Spl.M.Act.O.P.No.4 of 2016 pending on the file of the Family Court, Trichirapalli, shall stand withdrawn and transferred to any of the Family Courts at Chennai. On such transfer, the learned Judge of the Family Court, Chennai is directed to dispose of the said O.P as expeditiously as possible. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(J)

//True Copy//

Sub Assistant Registrar

srn
To

1. The Judge, Family Court ,
Thiruchirapalli.

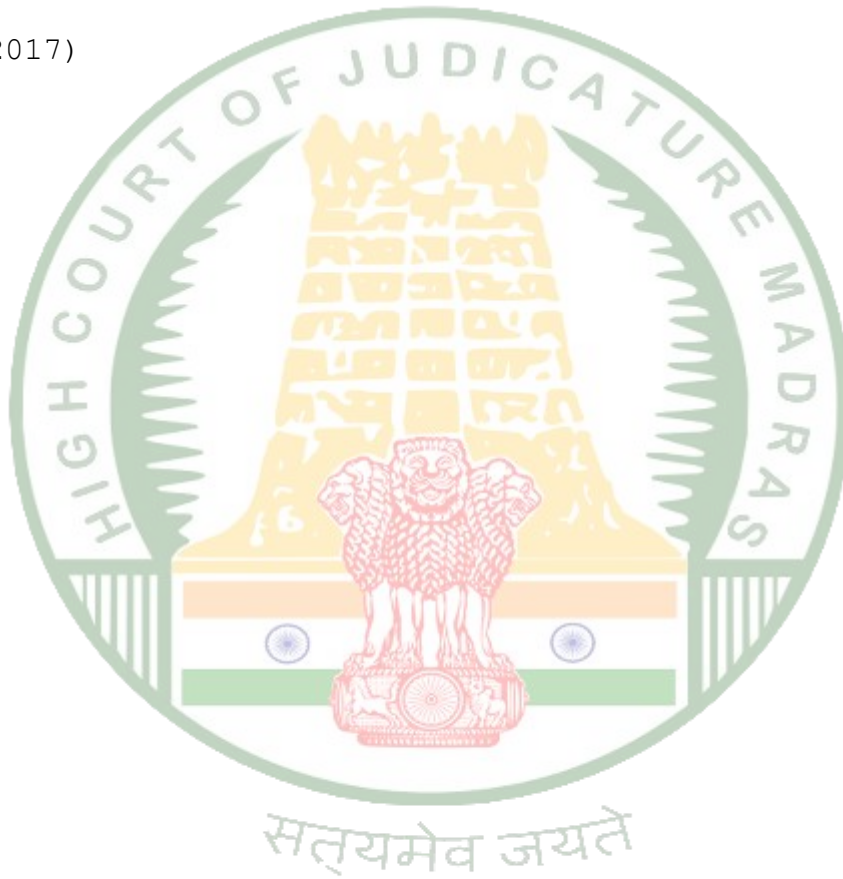
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2.The Judge, Family Court,
Chennai .

+1cc to Mr.T.Easwaradhas Advocate, S.R.No. 75925

Tr.C.M.P.No.660 of 2016
and
C.M.P.No.17399 of 2016

RK (CO)
TR(17/11/2017)



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