

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.02.2017

CORAM:

THE HONOURABLE MRS.JUSTICE PUSHPA SATHYANARAYANA

Tr.C.M.P.No.666 of 2016
and
C.M.P.No.17465 of 2016

K.Vasimfathima

.. Petitioner

Vs.

M.Faizulla

.. Respondent

Transfer Civil Miscellaneous Petition filed under Section 24 of the Civil Procedure Code praying to withdraw the suit in O.S.No.269 of 2016 on the file of the Second Additional Family Court, Chennai and transfer the same to the Family Court at Chengalpattu, Kanchipuram District.

For petitioner : Mr.A.Balasingh Ramanujam
For respondent : Mr.BR.Shankaralingam

ORDER

The respondent-husband filed O.S.No.269 of 2016 before the Second Additional Family Court, Chennai, for dissolution of marriage. It is stated that he deserted the petitioner-wife and now she is now living in her parents' house at Kalpakkam, Kanchipuram District. It is alleged that she has no income of her own and dependent on her parents and has no means to defend the case. The distance between Kanchipuram/Chengalpattu and Chennai is approximately 80 Kms. She finds it difficult to travel for the case from Kancheepuram to Chennai with her twin children and unable to leave the children with her aged parents. Though the respondent-husband denied the averments of the petitioner by filing counter affidavit, taking into consideration the fact that the convenience of the wife has to be given importance in ordering transfer of matrimonial cases from one place to the other and in order to avoid conflict of decisions, multiplicity of proceedings and to save the Court's time, and also taking into consideration the above facts and the grievances expressed by the petitioner, the Tr.C.M.P. is

ordered, and O.S.No.269 of 2016 pending on the file of the Second Additional Family Court, Chennai, shall stand withdrawn and transferred to the file of the Family Court, Chengalpattu. No costs. C.M.P. is closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

cs

Copy to

1. The Second Additional Principal Judge,
Family Court, Chennai.
2. The Judge, Family Court,
Chengalpattu.

+1cc to Mr.B.R.Shankaralingam, Advocate, S.R.No.11046

+1cc to Mr.Balasingh Ramanujam, Advocate, S.R.No.11075

RK(CO)
RS(03/03/2017)

Tr.C.M.P.No.666 of 2016

सत्यमेव जयते
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