

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.02.2017

CORAM:

THE HONOURABLE MRS.JUSTICE PUSHPA SATHYANARAYANA

Tr.C.M.P.No.766 of 2016

and C.M.P.No.19595 of 2016

Mrs.S.Suguna

.. Petitioner

Vs.

Mr.E.Ranganathan @ Srinivasan

.. Respondent

Transfer Civil Miscellaneous Petition filed under Section 24 of the Civil Procedure Code praying to withdraw the case in O.P.No.2782 of 2016 on the file of the First Additional Family Court, Chennai and transfer the same to the file of the Sub-Court, Kanchipuram.

For petitioner : Mr.K.G.Senthil Kumar

For respondent : No appearance

ORDER

The respondent-husband has filed O.P.No.2782 of 2016 before the First Additional Family Court, Chennai, for restitution of conjugal rights. It is stated that the respondent-husband is employed in Sriperumbudur, though he has given the address in the O.P. filed by him before the Court below as "No.7-102, Nehru Nagar, 1st Street, Perambur Barracks Road, Decoster Road, Chennai-600 012" . It is pointed out by the learned counsel for the petitioner that the respondent-husband is not residing in Chennai, as the private notice directed to be issued by this Court, which was taken to the Chennai address, returned for the reason that there is no such addressee. It is stated that out of the wed-lock between the petitioner and the respondent, two male children were born. It is the grievance of the petitioner-wife that she finds it very difficult to travel all the way from Sriperumbudur to Chennai, either with the children or leaving the children with her aged parents, and also unable to afford the travelling expenses. Moreover, the petitioner is depending on her parents. She further states that she is unable to engage an

Advocate in Chennai. Since the respondent is now stated to have been employed in Sriperumbudur, it will be convenient for both the parties to attend the hearings of the case in Kanchipuram. When the Tr.C.M.P. is taken up for hearing, though the respondent had been served with notice and a counsel has also entered appearance, there is no representation for the respondent either in person or through counsel. In the Transfer cases, the convenience of the wife should be given preference for attending her case hearings and also taking into consideration the above facts and the grievances expressed by the petitioner, the Tr.C.M.P. is ordered, and O.P.No.2782 of 2016 pending on the file of the First Additional Family Court, Chennai, shall stand withdrawn and transferred to the Sub-Court, Kanchipuram. No costs. C.M.P. is closed.

-s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

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To

1. The First Additional Principal Judge,
Family Court, Chennai.

2. The Subordinate Judge,
Kanchipuram.

+1 CC to Mr.K.G.Senthil Kumar, Advocate Sr.No.11206.

Tr.C.M.P.No.766 of 2016

EV(CO)
KP(07.03.2017)

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