

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.06.2017

CORAM :

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

Tr.C.M.P. No.797 of 2016

and

C.M.P.No.20206 of 2016

Rashmi ... Petitioner/Respondent
Vs.
A.Arun ... Respondent/Petitioner

Prayer:- Petition has been filed under Section 24 of C.P.C., to withdraw H.M.O.P.No.222 of 2016 on the file of the Family Court, Trichirapalli and transfer to the file of 1st Additional Family Court, Chennai for disposal on merits under law.

For Petitioner : Mr.J.Tamilarasi
For Respondent : Ms.Nandini Sriram

ORDER

This petition is filed to withdraw H.M.O.P.No.222 of 2016 from the file of the Family Court, Trichirapalli and transfer to the file of the 1st Additional Family Court, Chennai.

2. The petitioner is the wife and respondent is the husband. The marriage between the petitioner and respondent was conducted on 01.05.2015 as per Hindu rites and customs. In the wedlock, a female child was born to them on 29.01.2016. Due to difference of opinion, the petitioner and the respondent are living separately. The respondent filed H.M.O.P.No.222 of 2016 for divorce on the file of the Family Court, Trichirapalli. The petitioner also filed M.C.No.184 of 2016 on the file of the 1st Additional Family Court, Chennai.

3. According to the petitioner, she is residing at Chennai with her minor child along with her parents. The distance between Chennai and Tiruchirapalli is more than 300 kilometers and hence, it is very difficult for her to travel from Chennai to Tiruchirappali to attend every hearing before the Family Court, Trichirapalli. Moreover, the petitioner has no independent income and is depending on her parents for her day-to-day expenses including travelling expenses. Therefore, she

prays for transfer of H.M.O.P.No.222 of 2016 from the file of the Family Court, Trichirapalli. to the file of the 1st Additional Family Court, Chennai and to try along with M.C.No.184 of 2016.

4. Learned counsel for the respondent submitted that the respondent has no objection to transfer the case as sought for by the petitioner and he has also made an endorsement to that effect.

5. Recording the no objection given by the learned counsel for the respondent, without deciding the issue on merits, the petition in H.M.O.P.No.222 of 2016 is ordered to be withdrawn from the file of the Family Court, Trichirapalli and transferred to the file of the 1st Additional Family Court, Chennai and to be tried along with M.C.No.184 of 2016. The presiding Officer, 1st Additional Family Court, Chennai, is directed to transmit all the records pertaining to H.M.O.P.No.222 of 2016 to the file of the 1st Additional Family Court, Chennai, within a period of two weeks from the date of receipt of a copy of this order.

6. Accordingly, this Transfer Civil Miscellaneous petition is ordered. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

gsa/gv

To

1. The Family Court,
Tiruchirapalli.
2. The 1st Additional Family Court,
Chennai.

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CS/13/07/17