



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :12.10.2017

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE S.BASKARAN

TR.C.M.P (MD) No.430 of 2017
and
C.M.P. (MD) No.8661 of 2017

K.krishnapriya

...Petitioner/Petitioner

Vs.

D.Lakshminarayanan

... Respondent/Respondent

Prayer: Transfer Civil Miscellaneous Petition is filed under Section 24 of Civil Procedure Code, to withdraw and Transfer the F.C.O.P.No.2911 of 2017 pending on the file of the V-Additional Family court, Chennai to Sub Court, Virudhunagar.

For Petitioner : Mr.R.Govindaraj
For Respondent : No Appearance

ORDER

The petitioner/wife has come forward with this petition seeking transfer of F.C.O.P.No.2911 of 2017 pending on the file of the V-Additional Family Court, Chennai to Sub Court, Virudhunagar.

2.The learned counsel for the petitioner states that the petitioner got married to the respondent on 19.11.2010 and thereafter resided in the matrimonial home. Due to some misunderstanding in the matrimonial home, she was forced to go out of the matrimonial home by the respondent/husband. She is now living with her parents at Virudhunagar.

3.The respondent/husband has filed F.C.O.P.No.2911 of 2017, seeking divorce on the file of the V-Additional Family Court, Chennai and the same is pending. The petitioner states that she has no source of income and she has no relatives at Chennai, which is 490 kilo meters away from Virudhunagar.

4.The petitioner further states that she is also having a minor child aged about six years and it is difficult for her to travel to the Family Court, Chennai from Virudhunagar. Hence, she seeks transfer of F.C.O.P.No.2911 of 2017 pending on the file of the V-Additional Family Court, Chennai to Sub Court, Virudhunagar as stated above.



5. In spite of notice being served, the respondent neither appeared in person nor through the counsel.

6. In such circumstances, considering the reasons stated above by the petitioner and also considering the fact that she is an unemployed, having no source of income on her own and the distance from her place of residence to Chennai is too far and she is also having a minor child aged about six years, this Court is inclined to entertain this petition.

7. Accordingly, this Transfer Civil Miscellaneous Petition is allowed. Consequently, F.C.O.P.No.2911 of 2017 pending on the file of the V-Additional Family Court, Chennai is ordered to be withdrawn and transferred to the file of the Sub Court, Virudhunagar. The Sub Court, Virudhunagar is directed to dispose of the matter as expeditiously as possible. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar (RTI)

/True Copy/

Sub Assistant Registrar

To

1. The Judge, V-Additional Family Court, Chennai.

2. The Subordinate Judge, Virudhunagar.

+ 1 CC TO Mr.R.GOVINDARAJ, ADVOCATE IN SR No. 82738

DAS/PSD

TE/KP/SAR-2 : 31/10/2017 : 2P/4C

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