



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.10.2017

CORAM:

THE HONOURABLE MR.JUSTICE S.BASKARAN

Tr.C.M.P.(MD) No.388 of 2017
and
C.M.P.(MD) No.7935 of 2017

Dr.Benedicta Seeli

... Petitioner

Vs.

Dr.Anton Prem Thilak

... Respondent

Prayer: This Transfer Civil Miscellaneous Petition is filed under Section 24 of Civil Procedure Code, praying to withdraw the I.D.O.P.No.76 of 2017, from the Family Court, Tirunelveli, and to transfer the same case to the Family Court, Chennai or any other jurisdictional courts nearby.

For Petitioner : Mr.F.X.Eugene
For Respondent : Mr.K.Suresh Kumar

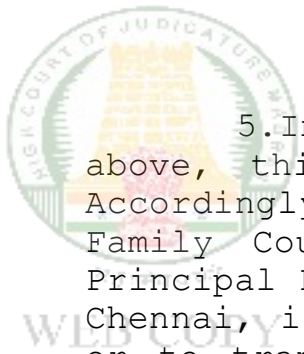
O R D E R

The petitioner has come forward with this petition seeking to withdraw and transfer the case in I.D.O.P.No.76 of 2017, pending on the file of the Family Court, Tirunelveli to the file of the Family Court, Chennai.

2.The petitioner states that she is residing at the address given in the petition in Chennai and as such it is difficult for her to go to the Family Court, at Tirunelveli for every hearing.

3.The respondent also filed his counter and stated that he has no serious objection to transfer the case. Admittedly, the respondent is now working in Kolkata. The respondent seeks for transfer to the Family Court, Chengalpattu, instead of Family Court, Chennai.

4.Admittedly, the petitioner is now working in Chennai and the respondent/husband is at Kolkatta. In this circumstances no serious prejudice will be caused to respondent if the plea of the petitioner is entertained and no prejudice will be caused to both parties if the I.D.O.P.No.76 of 2017 is transferred to the Family Court, in Chennai for quick disposal.



5. In such circumstances, considering the reasons stated above, this Court is inclined to allow the present petition. Accordingly, the case in I.D.O.P.No.76 of 2017 on the file of Family Court, Tirunelveli is transferred to the file of the Principal Family Court, Chennai. The Principal Family Judge, Chennai, is at liberty either to dispose of the case in his court or to transfer to any other Family Court in Chennai. No costs. Consequently, the connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar(Crl side)

/True Copy/

Sub Assistant Registrar

To

1.The Presiding Judge,
Family Court, Tirunelveli.

2.The Presiding Judge,
Principal Family Court, Chennai.

+1cc to M/S.K.Suresh Kumar, Advocate SR.No. 81922

+1cc to M/S.F.X.Eugene, Advocate SR.No. 81753

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and

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km/tm

JM/SKN RSK/SAR 4/12.10.2017/2P/5C