



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :25.10.2017

CORAM :

WEB COPY

THE HONOURABLE MR.JUSTICE S.BASKARAN

Tr.CMP.(MD).No.415 of 2017
and
C.M.P.(MD).No.8476 of 2017

Sivasundari

... Petitioner/Respondent

vs.

G.Balasubramanian

... Respondent/Petitioner

Prayer: Petition filed under Section 24 of C.P.C to withdraw the I.D.O.P.No.1716 of 2016 on the file of Principal Family Court, Chennai and to transfer the same to the Sub-Court, Tiruchendur.

For Petitioner : Mr.M.P.Senthil
For Respondent : No appearance

ORDER

The petitioner/wife has come forward with this petition seeking transfer of I.D.O.P.No.1716 of 2016 from the file of Principal Family Court, Chennai and to the Sub-Court, Tiruchendur.

2.The petitioner states that she got married with the respondent on 23.01.2015 and lived happily in the matrimonial home at Chennai. Subsequently, as there was a demand of dowry by the respondent's family, she was driven out of the matrimonial home in that connection. In this regard, she lodged a complaint before the All Women Police Station, Thoothukudi and a case was registered in Crime No.13 of 2015, suppressing the true facts the respondent/husband had filed I.D.O.P.No.1716 of 2016 on the file of Principal Family Court, Chennai seeking for dissolution of marriage. The petitioner further states that the distance from her parents' residence ie., Thoothukudi to Chennai is nearly 700 kilo metres and the travelling time is nearly 12 hours. It is further stated that the petitioner is not having any source of income and his depend on her parents. Hence the petitioner seeks for transfer of I.D.O.P.No.1716 of 2016 from the Principal Family Court, Chennai to the Sub-Court, Tiruchendur.

<https://hcservices.ecourts.gov.in/hcservices/>

3.Inspite of the fact that notice has been served to the respondent, he has not appeared either in person or through



counsel.

4. In such circumstances, considering the reasons stated by the petitioner and the fact that the petitioner is an unemployed and she finds it difficult to travel from Thoothukudi to Chennai to meet out the case of the respondent at Chennai, this Court inclined to entertain the petition.

5. Accordingly, the Transfer Civil Miscellaneous Petition is allowed and I.D.O.P.No.1716 of 2016 pending on the file of the Principal Family Court, Chennai is ordered to be withdrawn and transferred to the file of the Sub-Court, Tiruchendur. The learned Principal Family Court Judge, Chennai, is directed to transmit the entire records pertaining to the case in I.D.O.P.No.1716 of 2016 to the Transferee Court, within a week from the date of receipt of a copy of this order. As and when such records were received from the Court below, the learned Subordinate Judge, Tiruchendur is directed to dispose of the I.D.O.P.No.1716 of 2016 as expeditiously as possible. No Costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar (Records)

/True Copy/

Sub Assistant Registrar

To

1. The Judge, Principal Family Court, Chennai.
2. The Subordinate Judge, Tiruchendur.

+ 1 CC TO Mr.M.P.SENTHIL, ADVOCATE IN SR No. 83697

PSD
TE/SV-MMS/SAR-II : 20/11/2017 : 2P/4C

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