

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT****DATED: 15.11.2017****CORAM:****THE HONOURABLE MS.JUSTICE S.BASKARAN****Tr.C.M.P. (MD) No.422 of 2017****and****C.M.P. (MD) No.8561 of 2017**

S.Jasper Belinda

.. Petitioner / Respondent

Vs.

Charles Jacob Harrys Kishore

.. Respondent / Petitioner

Prayer: This Transfer Civil Miscellaneous Petition is filed under Section 24 of Civil Procedure Code, praying to withdraw the case in in F.C.O.P.No.198 of 2017 on the file of Family Court, Vellore and to transfer the same to the file of Family Court, Tirunelveli for disposal of the same on merits in accordance with law.

For Petitioner : Mr.A.Arumugam

For Respondent : Mr.M.Vijayarathinam

O R D E R

The petitioner has come forward with this petition seeking to withdraw the case in in F.C.O.P.No.198 of 2017, on the file of Family Court, Vellore and to transfer the same to the file of Family Court, Tirunelveli.

2.The petitioner has stated that the marriage between her and the respondent was solemnized on 02.07.2012 and the same was registered on 26.07.2012 and they started their happy matrimonial life at Vellore and out of the wedlock, a girl child was born to her on 24.04.2013. Now the petitioner lives with her parents in Tirunelveli District along with the minor child. While so, the respondent has filed F.C.O.P.No.198 of 2017, on the file of the Family Court, Vellore seeking dissolution of marriage and the same is pending. The petitioner states that her parents are aged persons and having various ailments and the distance between Tirunelveli and Vellore is about 600 Kilometers and she is unable to travel for each and every hearing. Further, the petitioner is unemployed and has no source of income on her own. Hence, the petitioner seeks transfer of F.C.O.P.No.198 of 2017 as stated above.

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

3.The respondent entered appearance through the counsel and oppose the petition. However, the respondent had admitted the



averments of the petition and filed a counter affidavit stating his willingness for transfer as sought for by the petitioner herein. The respondent has no objection for the same.

4. In such circumstances, considering the reason stated by the petitioner and the fact that the respondent has no objection for granting the relief sought for by the petitioner, this Court is inclined to entertain this petition as prayed for. The point is answered accordingly.

5. In the result, this petition is allowed and F.C.O.P.No.198 of 2017 pending on the file of the Family Court, Vellore, is ordered to be withdrawn and transferred to the file of the Family Court at Tirunelveli for disposal. On receipt of the records from the concerned Court, the transferee Court is directed to dispose of F.C.O.P.No.198 of 2017 as expeditiously as possible. No Costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS-III)

/True Copy/

Sub Assistant Registrar

To

1. The Family Court, Tirunelveli.

2. The Family Court, Vellore.

+1cc to Mr.A.ARUMUGAM Advocate in SR. No. 87879

+1cc to Mr.M.VIJAYARATHINAM Advocate in SR. No. 87883

GSP

JS/MR.KKR/SAR.1/29.11.2017/2P-5C

Tr.C.M.P. (MD) No.422 of 2017

and

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