

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.03.2018

CORAM :

THE HONOURABLE Mrs. JUSTICE PUSHPA SATHYANARAYANA

Tr.C.M.P. No.356 of 2017
and C.M.P.No.7063 of 2017

Sathya ... Petitioner/Respondent

versus
Maheshwaran ... Respondent/Petitioner

Prayer:- The Petition is filed under Section 24 of C.P.C. praying to withdraw the H.M.O.P.No.4889 of 2016 on the file of the Principal Family Court, Chennai and transfer the same to the file of the Family Court, Tiruppur, Tiruppur District.

For Petitioner : Mr.C.Veeraraghavan

For Respondent : Mr.K.Thenrajan

O R D E R

The Transfer Civil Miscellaneous Petition is filed by the petitioner/wife in the matrimonial proceedings seeking to withdraw H.M.O.P.No.4889 of 2016 filed by the respondent/husband under Section 13(1)(i-a) of the Hindu Marriage Act for divorce, pending on the file of Principal Family Court, Chennai and transfer the same to the file of Family Court, Tiruppur.

2. In the affidavit it is stated that the petitioner/wife is staying at Tiruppur with her aged parents and a female child born out of the wedlock is also living with the petitioner. It is stated that since the distance between Chennai and Tiruppur is more than 500 kms., it would be difficult for her travel to Chennai for each hearing along with her child and aged parents and she is also dependent on her parents. Hence, the transfer is sought for.

3. Heard the learned counsel for the petitioner and the learned counsel for the respondent. The learned counsel for the respondent/husband has got no objection for the above transfer.

4. Considering the convenience of the wife and taking into account Section 19(iii-a) of the Hindu Marriage Act, which gives preference for the wife in respect of the place where she resides, this Court is inclined to transfer H.M.O.P.No.4889 of 2016 to the file of Family Court, Tiruppur.

5. Accordingly, the Transfer Civil Miscellaneous petition is allowed and H.M.O.P.No.4889 of 2016, pending on the file of Principal Family Court, Chennai is transferred to the file of Family Court, Tiruppur. No Costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(Audit)

//True Copy//

Sub Assistant Registrar

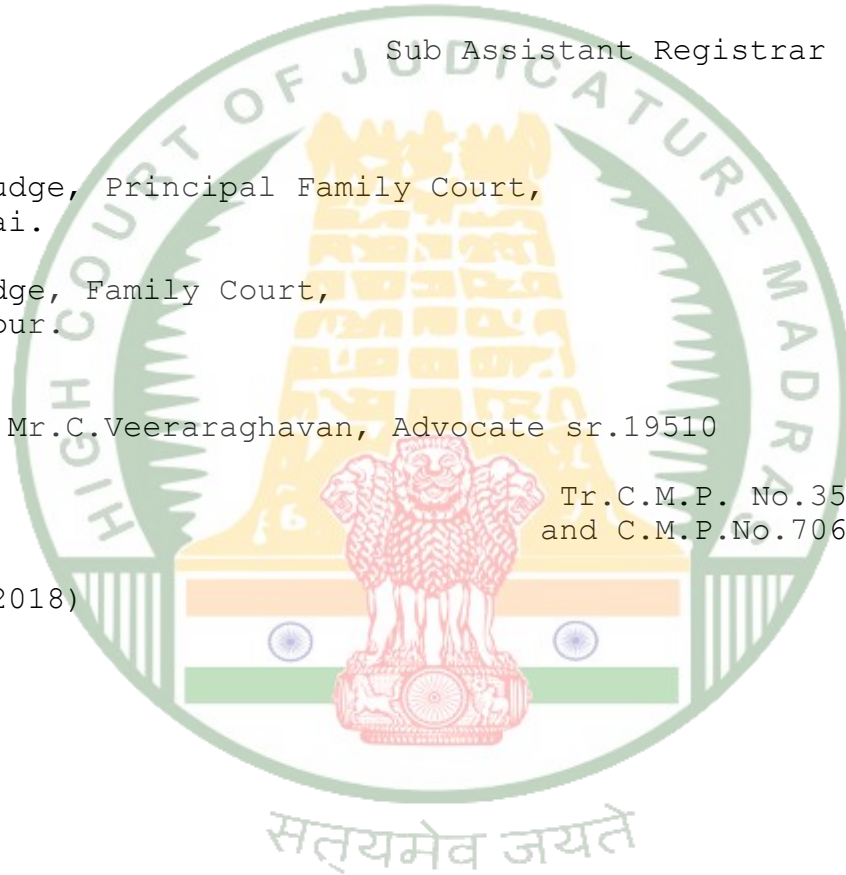
rsi
To

1. The Judge, Principal Family Court,
Chennai.
2. The Judge, Family Court,
Tiruppur.

+ 1 cc to Mr.C.Veeraraghavan, Advocate sr.19510

Tr.C.M.P. No.356 of 2017
and C.M.P.No.7063 of 2017

GJ(CO)
EU(04/04/2018)



सत्यमेव जयते

WEB COPY