

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.04.2018

CORAM :

THE HONOURABLE MS. JUSTICE V.M.VELUMANI

Tr.C.M.P. No.760 of 2014

and M.P.No.1 of 2014

Alfin Silviya

... Petitioner

Vs.

A.Vimalraj

... Respondent

Prayer:- Petition has been filed under Section 24 of C.P.C., to withdraw I.D.O.P.No.143 of 2014 from the file of the District Court, Namakkal and transfer the same to the file of the District Court, Kanyakumari District at Nagercoil.

For Petitioner : Mr.C.K.M.Appaji

For Respondent : No appearance

O R D E R

This petition is filed to withdraw I.D.O.P.No.143 of 2014 from the file of the District Court, Namakkal and transfer the same to the file of the District Court, Kanyakumari District at Nagercoil.

2. The petitioner is the wife and respondent is the husband. The marriage between the petitioner and respondent was solemnised on 09.05.2008 at Assisi Church, Nagercoil, Kanyakumari District. Due to dispute, both of them are living separately. The respondent filed I.D.O.P.No.143 of 2014 for declaring the marriage as null and void, on the file of the District Court, Namakkal.

3. According to the petitioner, she is residing in Colachel, Kanyakumar District along with her parents and minor children. The distance between Colachel and Namakkal is 600kms. and hence, it is difficult for her to attend the Court at Namakkal as she is working as teacher in a Private School, at Kanyakumari. She has to travel almost 6 hours to participate in the trial. It is very difficult for the petitioner to travel such a long distance without any assistance from others.

Therefore, she prays for transfer of I.D.O.P.No.143 of 2014 from the file of the District Court, Namakkal, to the file of the District Court, Kanyakumari District at Nagercoil.

4. Heard the learned counsel for the petitioner. Though the respondent entered appearance, there is no representation for him either in person or through counsel.

5. Considering the submissions made by the learned counsel for the petitioner, the petition in I.D.O.P.No.143 of 2014 is ordered to be withdrawn from the file of the District Court, Namakkal and transferred to the file of the District Court, Kanyakumari District at Nagercoil. The Presiding Officer, District Court, Namakkal, is directed to transmit all the records pertaining to I.D.O.P.No.143 of 2014 to the file of the District Court, Kanyakumari District at Nagercoil, within a period of two weeks from the date of receipt of a copy of this order.

6. Accordingly, this Transfer Civil Miscellaneous petition is ordered. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar(CS-IV)

//True Copy//

Sub Assistant Registrar

smi

To

1.The District Court,
Namakkal.

2.The District Court,
Kanyakumari District at Nagercoil.

+1cc to Mr.C.K.M. APPAJI, Advocate, S.R.No. 27330

Tr.C.M.P. No.760 of 2014
and M.P.No.1 of 2014

GJ(CO)
TR(04/05/2018)

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