

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.03.2018

CORAM :

THE HONOURABLE Mrs. JUSTICE PUSHPA SATHYANARAYANA

Tr.C.M.P.No.550 of 2017

Mathangi Rudhrakumar ... Petitioner/Petitioner

Nirmalraj Samraj Vs. ... Respondent/Respondent

Prayer:- Petition has been filed under Section 24 of C.P.C praying to withdraw and transfer the petition for dissolution of marriage in S.M.O.P.No.2 of 2017 from the file of the District Judge, Ramanathapuram to the file of the Principal Family Court, Chennai or any other competent Court to try the same.

For Petitioner : Mr.L. Rajasekar

For Respondent : Mr.P.Ganapathi Subramanian

O R D E R

The wife in a matrimonial proceedings has filed the above transfer Civil Miscellaneous Petition seeking to withdraw the S.M.O.P.No.2 of 2017 pending on the file of the District Court, Ramanathapuram and transfer the same to any of the Family Courts in Chennai.

2. The respondent-husband had filed the above S.M.O.P.No.2 of 2017 under Section 18(1) of the Foreign Marriage Act, 1969 read with Section 27(1) (d) of the Special Marriage Act, 1954 on the file of the District Court, Ramanathapuram for dissolution of marriage held between the petitioner and the respondent on 10.01.2013.

3. It is stated in the affidavit that the petitioner is living in Chennai along with her father and aged grandmother. She is working as a Manager in her father's Chartered Accountant firm. Further, it is stated that the petitioner's grandmother is bedridden and she has also to take care of her. Hence, she is unable to travel from Chennai to Ramanathapuram, which is 550 kms away from Chennai, to attend each and every hearing of the case at Ramanathapuram. Hence, she sought for transfer.

4. Heard the learned counsel appearing for the petitioner and the learned counsel appearing for the respondent and perused the materials available on record.

5. The learned counsel appearing for the respondent/husband submitted that the respondent-husband has got no serious objection for the said transfer.

6. Considering the submission made by the learned counsel on both sides and as the respondent has got no serious objection in transferring the petition to the Family Court, Chennai, this Tr.C.M.P is allowed and S.M.O.P.No.2 of 2017, pending on the file of the District Court, Ramanathapuram is withdrawn and transferred to any of the Family Courts in Chennai. No costs.

Sd/-
Assistant Registrar (CO)

//True Copy//

Sub Assistant Registrar

srn
To

1. The District Judge, Ramanathapuram
2. The Principal Judge, Family Court, Chennai

+1cc to Mr.L.RAJASEKARAN, Advocate, S.R.No. 16901
+1cc to Mr.GANAPATHI SUBRAMANIAN, Advocate, S.R.No. 17316

Tr.C.M.P.No.550 of 2017

CA (CO)
TR(04/04/2018)

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