IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.02.2018

CORAM :

THE HONOURABLE Mrs. JUSTICE PUSHPA SATHYANARAYANA

Tr.C.M.P. No.781 of 2017
and
C.M.P.No.15894 of 2017

Arockia Punitha ... Petitioner

versus

S. Joseph Thiraviyam ... Respondent

Prayer:- The Petition is filed under Section 24 of C.P.C. praying to withdraw the original petition in I.D.O.P.No.20 of 2017 on the file of the District Court at Sivagangai and transfer the same to the Family Court at Chennai.

For Petitioner : Ms.A.Arul Mary
For Respondent : Mr.P.Sidharthan

O R D E R

The transfer petition is filed by the petitioner/wife in the matrimonial proceedings seeking to withdraw I.D.O.P.No.20 of 2017 filed by the respondent/husband for divorce under Section 10(ix)(x) of Indian Divorce Act on the grounds of cruelty and desertion, pending on the file of District Court, Sivagangai and transfer the same to the file of Family Court, Chennai.

2. Heard the learned counsel for the petitioner and the learned counsel for the respondent.

3. From the affidavit filed in support of the petition, it is seen that the petitioner/wife is living in Chennai and twin female children born out of the wedlock is also living with the petitioner. It is stated that the petitioner/wife is working in Accenture Services Pvt. Ltd, Perungalathur and she could not take leave frequently to travel Sivagangai, which is about 1000 kms., up and down, for attending hearings. Hence, she sought for the transfer.

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4. In paragraph 8 of the counter affidavit, the respondent/husband stated that he has got no intention to make the petitioner to travel to Sivagangai, whereas, he was more interested in taking care of the kids. He has categorically stated that he has got no objection in getting the I.D.O.P. transferred to Family Court, Chennai.

5. In view of the above said submissions, the Transfer Civil Miscellaneous petition is allowed by withdrawing I.D.O.P.No.20 of 2017, pending on the file of District Court, Sivagangai and transferring the same to the file of Family Court, Chennai. No Costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS VI)

//True copy//

Sub Assistant Registrar

rsi

To

1. The District Judge
   Sivagangai.

2. The Family Court Judge,
   Chennai.

+2cc to Mr.Father Xavier Associates, Advocate SR.No.13378
+1cc to Mr.Sidharthan, Advocate SR.No.3403

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MG(CO)
GN(08/03/2018)

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