

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.02.2018

C O R A M

THE HONOURABLE Mrs.JUSTICE PUSHPA SATHYANARAYANA

Tr.C.M.P.No.17 of 2018
and
C.M.P.No.446 of 2018

Annes

.. Petitioner

-Vs-

Antony Peter Leo
Rep by his Power of Attorney agent
A.Mariasingam alias Bharathkumar

.. Respondent

Transfer Civil Miscellaneous Petition filed under Section 24 of C.P.C praying to withdraw the I.D.O.P.No.219 of 2017 from the file of the Principal District Court, Thiruvallur and transfer the same to the Principal District Court, Chengalpet.

For petitioner ... Mr.V.M.Venkatramana

For respondent ... Mr.Manoj Sreevalsan

O R D E R

The transfer petition is filed by the petitioner-wife seeking transfer of I.D.O.P.No.219 of 2017 from the file of the Principal District Court, Thiruvallur to the file of the Principal District Court, Chengalpet.

2. I.D.O.P.No.219 of 2017 is filed by the respondent-husband before the Principal District and Sessions Judge, Thiruvallur for divorce.

3. Heard the learned counsel appearing for the petitioner and the learned counsel appearing for the respondent.

4. Now, the transfer is sought for by the wife from Principal District Court, Thiruvallur to Principal District Court, Chengalpet. Being the petition filed for divorce under the Indian Divorce Act, only the District Courts have got jurisdiction or the Family Courts.

5. Admittedly, the respondent-husband is residing in United States of America and he is prosecuting the case through his Power of Attorney, who is his father.

6. In the affidavit, the petitioner-wife has stated that she is working in a College and expressed her difficulty in travelling to Thiruvallur for each of the hearings.

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

8. The learned counsel for the respondent has filed counter affidavit denying the averments made in the transfer petition.

9. Though the transfer is now sought for to Principal District Court, Chengalpet, learned counsel appearing for the respondent expressed the difficulty of the respondent-husband in travelling to Chengalpet, as the Family Court, Chennai would be easy for both the parties to contest the case. The petitioner also seems to be living in Selaiyur near Tambaram. Therefore, it would be easy for her also to travel to Family Court, Chennai.

10. Hence, with the consent of both the learned counsels, I.D.O.P.No.219 of 2017 pending on the file of the Principal District Court, Thiruvallur is withdrawn and transferred to any of the Family Courts at Chennai.

11. In view of the above, the transfer Civil Miscellaneous Petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

सत्यमेव जयते Assistant Registrar (CS-VIII)

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WEB COPY Sub Assistant Registrar

srn

To

1. The Principal District Court, Thiruvallur.

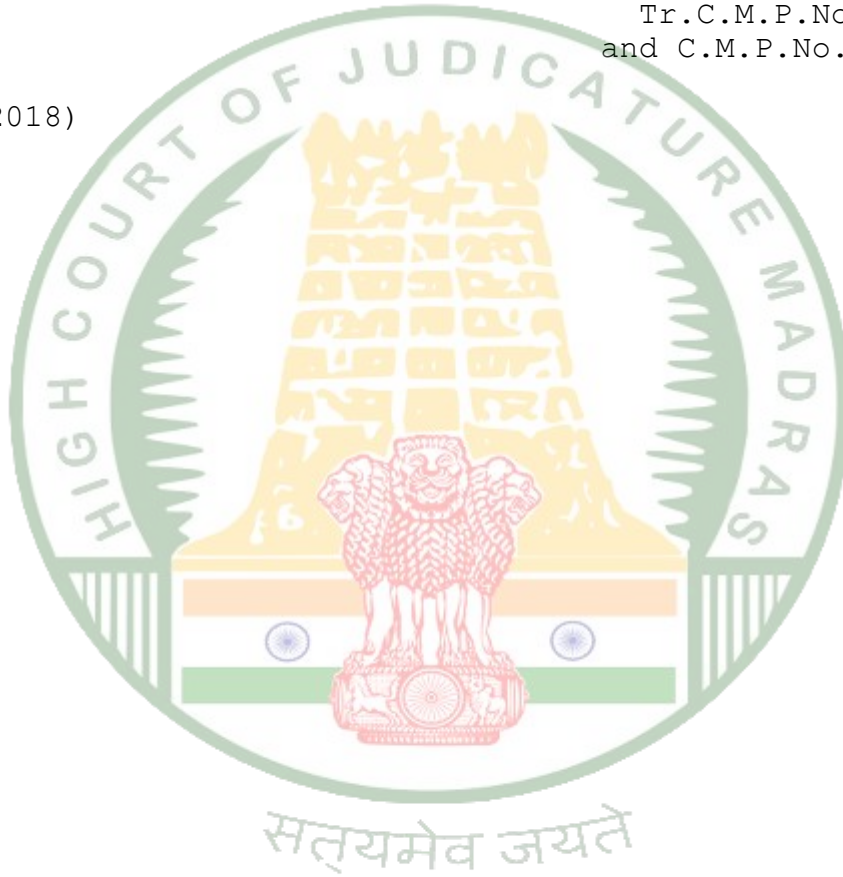
2. The Principal Judge, Family Court, Chennai.

+ 1 cc to M/s. V. M. Venkatramana, Advocate Sr.11553

+ 1 cc to M/s. Manoj Sreevalsan, Advocate Sr.11547

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(CS-VIII)
EU(07/03/2018)



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