

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.03.2018

CORAM :

THE HONOURABLE Mrs. JUSTICE PUSHPA SATHYANARAYANA

Tr.C.M.P. No.18 of 2018  
and C.M.P.No.464 of 2018

R. Sathyapriya

... Petitioner

versus

T. Sasidharan @ Sethurama Sarma

... Respondent

Prayer:- The Petition is filed under Section 24 of C.P.C. praying to withdraw H.M.O.P.No.322 of 2017 on the file of the Sub Court, Kancheepuram and transfer the same to the file of the Family Court, Chennai.

For Petitioner : Mr.K.Subbu Ranga Bharathi  
For Respondent : Mr.D.Rameshkumar

O R D E R

The petitioner/wife in the matrimonial dispute has filed this Transfer Civil Miscellaneous Petition seeking to withdraw H.M.O.P.No.322 of 2017 filed by the respondent/husband under Section 13(1)(i-a)(i-b) of the Hindu Marriage Act for divorce, pending on the file of Subordinate Court, Kancheepuram and transfer the same to the file of Family Court, Chennai.

2. In paragraph 16 of the affidavit, it is stated that the petitioner/wife is living with her parents in Thiruvottiyur and employed in a Bank at Chennai. It would be difficult for her to travel from Thiruvottiyur to Kancheepuram for each hearing, which is about 180 kms up and down, since the petitioner was suffering from rheumatism and bronchitis and undergoing treatment for the past 3 years. Further, it is stated that the petitioner is having chronic dust allergy and cannot travel long distance. Hence, the petitioner/wife sought for the transfer.

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

4. Considering the grievances expressed by the petitioner and also Section 19(iii-a) of the Hindu Marriage Act, which

mandates that the convenience of the wife has to be considered, this Court is inclined to transfer H.M.O.P.No.322 of 2017 from the file of Subordinate Court, Kancheepuram to the file of Family Court, Chennai.

5. Accordingly, the Transfer Civil Miscellaneous petition is allowed and H.M.O.P.No.322 of 2017, pending on the file of Subordinate Court, Kancheepuram is transferred to the file of Family Court, Chennai. No Costs. Consequently, connected miscellaneous petition is closed.

s/d-

Assistant Registrar (CS VIII)

True Copy

Sub-Assistant Registrar

rsi

To

1. The Subordinate Judge,  
Kancheepuram.
2. The Judge  
The Family Court  
Chennai.

+2 Ccs to Mr.K. Subbu Ranga Bharathi, Advocate sr 16663.

+1 CC to Mr.D. Ramesh Kumar, advocate sr 16568

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SSI (CO)  
SP (23/03/2018)

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