

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.01.2018

CORAM :

THE HONOURABLE Mrs. JUSTICE PUSHPA SATHYANARAYANA

Tr.C.M.P.No.664 of 2016
and
C.M.P.No.17413 of 2016

K.Anandy
Represented by her Power of Attorney and father
Mr.Kannan ... Petitioner

Vs.

S.Chandru ... Respondent

Prayer:- Petition has been filed under Section 24 of C.P.C praying to withdraw the H.M.O.P.No.599 of 2016 pending on the file of the Madurai Family Court at Madurai and transfer the same to the file of the Family Court, Pondicherry for adjudication according to law.

For Petitioner : Mr.M.Magesh
For Respondent : Mr.M.Gopinathan

ORDER

The wife in a matrimonial proceedings has filed the above transfer Civil Miscellaneous Petition seeking to withdraw the

H.M.O.P.No.599 of 2016 pending on the file of the Family Court, Madurai and transfer the same to the file of Family Court, Pondicherry.

2. The husband had filed the above H.M.O.P.No.599 of 2016 under Section 13(i-a) and 13(ii) of the Hindu Marriage Act on the file of the Family Court, Madurai for dissolution of marriage held between the petitioner and the respondent on 16.09.2014.

3. The petitioner-wife has sworn to the affidavit through her father in his capacity as Power Agent. It is stated in the affidavit that the petitioner is staying with her parents at Pondicherry. She has been facing acute hypertension disorder due to which, she is unable to travel frequently from Pondicherry to Madurai without any assistance from her parents. Further, the petitioner has no independent income and is depending on her parents even for her livelihood including travelling expenses. It is also stated that her parents are aged and they could not accompany her. Hence, transfer is sought for.

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 has got no serious objection for the said transfer.

6. Considering the submission made by the learned counsel for the petitioner and as the respondent has got no objection in transferring the petition to the Family Court, Pondicherry, this Tr.C.M.P is allowed and H.M.O.P.No.599 of 2016, pending on the file of the Family Court, Madurai shall stand withdrawn and transferred to the file of Family Court, Pondicherry. No costs. Consequently, connected miscellaneous petition is closed.

सत्यमेव जयते

08.01.2018

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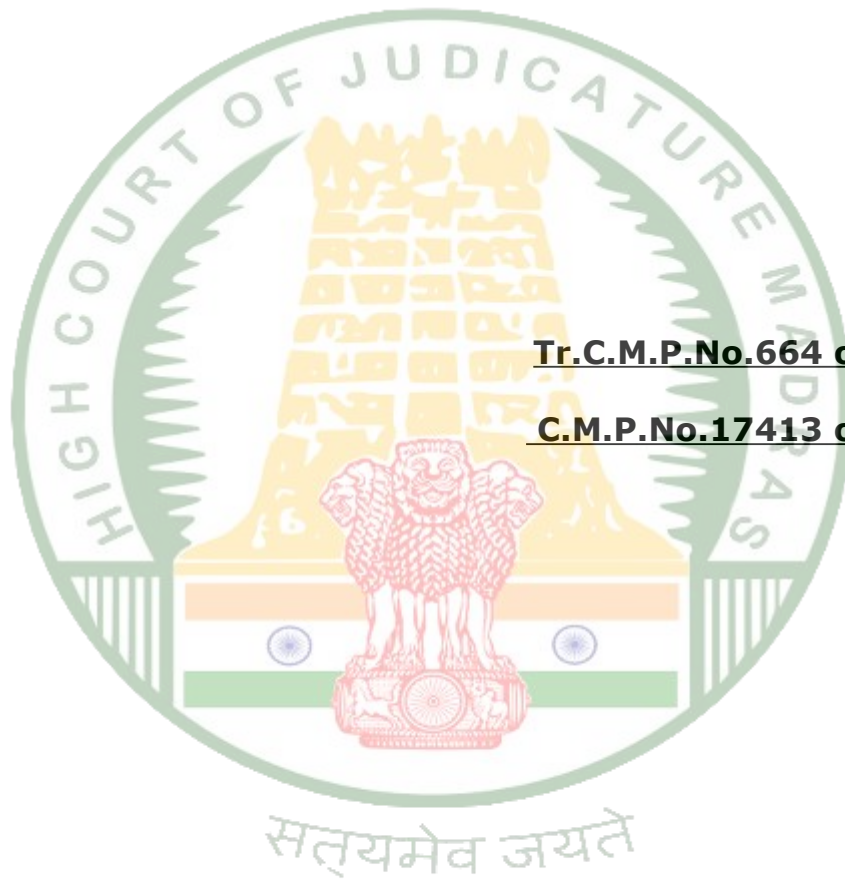
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To

1. The Judge, Family Court, Madurai
2. The Judge, Family Court, Pondicherry

PUSHPA SATHYANARAYANA, J.

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