



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 11.09.2018

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

TR.C.M.P.(MD).No.273 of 2018 and
C.M.P.(MD)No.6742 of 2018

A.Leela Lakshmi

... Petitioner/Respondent

Vs.

S.Rajasekar @ Raja

... Respondent/Petitioner

PRAYER : Transfer Civil Miscellaneous petition is filed under Section 24 of Civil Procedure Code, to withdraw O.P.No.2621 of 2018 from the file of the learned Judge, Family Court No.I, Chennai and transfer the same to the Family Court, at Madurai.

For Petitioner : Mr.P.Gokulnaath
For Respondent : No appearance.

O R D E R

The petitioner herein got married to the respondent on 03.12.2012 at Villapuram, Madurai. A male child was born to the petitioner through the wedlock. The marital relationship between the parties appears to have come under strain. The respondent husband filed O.P.No.2621 of 2018 before the Family Court No.I, Chennai, seeking divorce. To transfer the said O.P., this Transfer Civil Miscellaneous petition has been filed before this Court.

2. Though the respondent has been served and his name is also printed in the cause list, he has not chosen to enter his appearance either through person or through counsel.

3. The petitioner is a woman. She is having an young child to take care. Therefore, it will be difficult for the petitioner to go to Chennai and contest the proceedings. The marriage took place in Madurai. The Madurai Court will have the jurisdiction. Therefore, in the interest of justice and taking into account all these aspects, this Court withdraws O.P.No.2621 of 2018 from the file of the Family Court No.I, Chennai and transfer the same to the file of the learned Judge, Family Court, Madurai.



4. It is made clear that the respondent need not be appear in person except on those occasions when his presence is essential. On all other days, this Court dispenses with the personal appearance of the respondent. He can very well be represented through his counsel.

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5. With these observations, the Transfer Civil Miscellaneous petition stands allowed. No costs. Consequently, connected Miscellaneous petition is closed.

Sd/-
Assistant Registrar (AD-I)

/True Copy/

Sub Assistant Registrar (CS-III)

To

1. The Judge,
Family Court No.I, Chennai.
2. The Judge,
Family Court, Madurai.
3. The Record Keeper, V.R.Section,
Madurai Bench of Madras High Court,
Madurai. (2 Copies)

+ 1 CC TO Mr.P.GOKULNAATH, ADVOCATE IN SR No. 83465

PMU

TE/PM/SAR-3 : 25/10/2018 : 2P/6C

ORDER MADE IN
TR.C.M.P.(MD) .No.273 of 2018 and
C.M.P.(MD) No.6742 of 2018
11.09.2018