

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.04.2019

C O R A M

THE HONOURABLE MR.JUSTICE M.GOVINDARAJ

TR C.M.P. No.154 of 2019
and
C.M.P.No.5000 of 2019

Saigeetha

... Petitioner

Vs.

J.Sukumar @ John

... Respondent

PRAYER: Transfer Civil Miscellaneous Petition filed under Section 24 (b)(ii) of C.P.C., to withdraw the O.P.No.275 of 2019 pending on the file of Family Court I, Chennai and transfer the same to any competent Court at Tenkasi, Thirunelveli District.

For Petitioner : Mr.A.Sivaji

For Respondent : Mr.P.Brito

O R D E R

This Transfer Civil Miscellaneous Petition has been filed seeking to withdraw the O.P.No.275 of 2019 pending on the file of Family Court I, Chennai and transfer the same to any competent Court at Tenkasi, Thirunelveli District.

2. Respondent and petitioner are husband and wife. The petitioner/wife filed a petition for maintenance in M.C.No.14 of 2017 before Judicial Magistrate, Tenkasi. The respondent/husband is contesting the case. After a year, the respondent/husband filed a petition for divorce in O.P.No.275 of 2019 before the Family Court, Chennai. She finds it difficult to travel for long distance from Tenkasi to Chennai before the Family Court. Hence, she seeks transfer of the case from Chennai to Tenkasi.

3. The respondent/husband entered appearance and filed a counter denying the allegations. However, petitioner/wife

submitted that she is resident of Tenkasi and hence, she finds it difficult to travel to Chennai, which is 900kms away from Tenkasi to Chennai, for every hearing.

4. Considering the convenience of both the parties, this Court is inclined to transfer the divorce petition filed by the husband from Chennai to Thenkasi. Accordingly, O.P.No.275 of 2019 pending on the file of the Family Court, Chennai is withdrawn and transferred to the file of Sub Court, Tenkasi.

5. The Transfer Civil Miscellaneous Petition is disposed of with the above direction. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

To

- 1.The Judge,
The Family Court,
Chennai.
2. The Subordinate Court,
Tenkasi.

+1cc to Mr.A.Sivaji, Advocate sr.31179

+1cc to Mr.T.Stalin Gnanadass, Advocate sr.31460

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nr 28/06/2019

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