

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.11.2019

C O R A M

THE HONOURABLE MRS.JUSTICE V.BHAVANI SUBBAROYAN

TR C.M.P. No.833 of 2019

and

C.M.P.No.22969 of 2019

V.Renuka Devi

... Petitioner

Vs.

R.Ramesh

... Respondent

PRAYER: Transfer Civil Miscellaneous Petition filed under section 24 of C.P.C., to withdraw and transfer the proceedings in IDOP No.311 of 2018 on the file of the Principal District Court, Thiruvallur to the Family Court, Chennai.

For Petitioner : Hari for M/s.Hari and Guru Associates

For Respondent : Mr.S.Manohar Ponraj

ORDER

The above Transfer Civil Miscellaneous Petition is filed by the petitioner/wife seeking to withdraw and transfer I.D.O.P.No.311 of 2018 filed by the respondent/husband for divorce on the file of the Principal District Court, Thiruvallur to the Family Court, Chennai.

2. The facts of the case is that the marriage between the petitioner and the respondent was solemnized on 05.02.2009. After marriage, both of them lived happily for some time. Later, due to misunderstanding, the respondent herein/husband of the petitioner has filed I.D.O.P.No.311 of 2018 before the Principal District Court, Thiruvallur seeking divorce with false allegations.

3. The learned counsel appearing for the petitioner/wife would submit that the respondent/husband has not maintained the petitioner as well as his minor daughter, Hosanna Reshma Arputha and he has also not taken any steps to visit his daughter. The petitioner is working as Lab Technician in Adyar Cancer Institute, Chennai and staying at her mother's home at Kilpauk,

Chennai. The respondent/husband is also staying and working at Kellys, Chennai. The petitioner/wife is in the process of filing a petition before the Family Court, Chennai for restitution of conjugal rights. She would further submit that it would be very difficult for the petitioner/wife to travel for every hearing from Kilpauk to Thiruvallur along with her minor daughter.

4. The learned counsel for the respondent/husband would submit that the respondent has denied all the averments made by the petitioner and he has no objection to transfer the case to Family Court at Chennai.

5. In view of the above, this Transfer Civil Miscellaneous Petition is allowed and the petition in I.D.O.P.No.311 of 2019 pending on the file of the Principal District Court, Thiruvallur is ordered to be withdrawn and transferred to any one of the Family Court, Chennai. No costs. Consequently, connected CMP.No.22969 of 2019 is closed.

s/d-
Assistant Registrar(CO)

True Copy

Sub-Assistant Registrar

dpq
To

1. The Principal District Court, Thiruvallur
2. The Judge, Family Court, Chennai.

+2 CCS to M/s. Hari and Guru Associates sr 96962.
+1 CC to Mr.S.Manohar, Advocate sr 97013.

TR C.M.P. No.833 of 2019
and
C.M.P.No.22969 of 2019

GMR(CO)
SP(19/12/2019)