

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.02.2019

C O R A M

THE HONOURABLE MR.JUSTICE M.GOVINDARAJ

TR C.M.P. No.903 of 2018
and
C.M.P.No.22251 of 2018

S.Chithra ... Petitioner

Vs.

A.Hariharan ... Respondent

PRAYER: Transfer Civil Miscellaneous Petition filed under section 24 of C.P.C., to withdraw the case in H.M.O.P.No.276 of 2018 on the file of the Hon'ble Sub Judge, Kancheepuram and transfer the same to the file of the Hon'ble Family Court, Chennai.

For Petitioner : Mr.K.Sumathi

For Respondent : Mr.S.Thamizharasi

O R D E R

This Transfer Civil Miscellaneous Petition has been filed seeking transfer of H.M.O.P.No.276 of 2018 on the file of the learned Sub Judge, Kancheepuram and transfer the same to the file of learned Family Court, Chennai.

2. Respondent and petitioner are husband and wife. The respondent/husband filed a petition for divorce under Section 13 (1) (i) (i-a) of the Hindu Marriage Act 25 of 1995, before the Sub Court, Kancheepuram. In the divorce petition the address of the respondent/husband is shown as Choolaimedu, Chennai and the address of the petitioner/wife is shown as Korattur, Chennai. Therefore, it is crystal clear that both the parties are residing in Chennai. When spouses are residing in Chennai, filing divorce petition by the husband before the Sub-Court, Kancheepuram stating that the cause of action arose at Kancheepuram will cause inconvenience and hardship to both the parties.

3. Considering the convenience of both the parties,
<https://hcservices.ecourts.gov.in/hcservices/> this Court is inclined to transfer H.M.O.P.No.276 of 2018

pending on the file of Sub Court, Kancheepuram to the file of Principal Judge Family Court, Chennai.

4. Accordingly, H.M.O.P.No. 276 of 2018 pending on the file of Sub Court, Kancheepuram is withdrawn and transferred to the file of Principal Judge Family Court, Chennai. The Sub Court, Kancheepuram is directed to transfer the papers to the file of Principal Judge Family Court, Chennai, forthwith.

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 iv)

//True Copy//

Sub Assistant Registrar

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To

1. The Sub Court,
Kancheepuram.

2. The Principal Judge Family Court,
Chennai.

TR C.M.P. No.903 of 2018

and

C.M.P.No.22251 of 2018

A.SK(01/04/2019)

सत्यमेव जयते

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