

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.03.2021

CORAM

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

Tr.C.M.P.No.96 of 2021
and
C.M.P.No.3224 of 2021

Arockia Remy

.. Petitioner

vs.

Nisanth Arul Thomas

.. Respondent

PRAYER : Transfer CMP is filed under Section 24 of the Civil Procedure Code, to withdraw I.D.O.P.No.158 of 2020 pending before the Family Court, Sivagangai and transfer the same to the Family Court, Chennai.

For Petitioner : Mr.Guru Dhananjay
For Respondent : No appearance

O R D E R

The petition for transfer is filed to transfer I.D.O.P.No.158 of 2020 from the Family Court, Sivagangai to the Family Court, Chennai.

2. The learned counsel for the petitioner made a submission that the respondent/husband is working at Karapakkam, Chennai.

3. The marriage between the petitioner and the respondent was solemnized on 27.05.2018 as per the Christian Rites and Customs. The spouses started living happily and thereafter, the respondent/husband left the Matrimonial home, went to his native place at Sivagangai and filed I.D.O.P.No.158 of 2020 for Dissolution of Marriage. The petitioner states that she is presently unemployed in Chennai and therefore, she is not in a position to travel all along to Sivagangai for contesting the Divorce Petition. In view of the fact that both the petitioner and the respondent were lastly living at Chennai and the respondent left the Matrimonial home and filed the Divorce

Petition before the Court at Sivangangai and the fact remains that the respondent is now working in a Bank at Karapakkam in Chennai, this Court is of an opinion that no prejudice would be caused in the event of transferring the case from Sivangangai to Chennai, as far as the respondent is concerned.

4. Thus, the I.D.O.P.No.158 of 2020 now pending on the file of the Family Court, Sivagangai stands transferred to the Family Court, Chennai.

5. Accordingly, this Transfer Civil Miscellaneous Petition No.96 of 2021 stands allowed and I.D.O.P.No.158 of 2020 pending on the file of the Family Court, Sivagangai, is directed to be transferred to the Family Court, Chennai. However, there shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar

//True Copy//

Assistant Registrar

KAK

To

1. The Judge, Family Court, Sivagangai.
2. The Judge, Family Court, Chennai.

+1cc to Mr.Guru Dhananjay, Advocate, S.R.No. 18480

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AK-II(CO)
TE (16/04/2021)

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