

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.01.2021

CORAM

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

Tr.C.M.P.No.310 of 2019

And

C.M.P.No.9111 of 2019

Mrs.Jasmine Janavi

.. Petitioner

vs.

Arigarane Diban

.. Respondent

PRAYER : The Tr.CMP is filed under Section 24 of Civil Procedure Code to withdraw and transfer the M.O.P.No.290 of 2018 pending before the Hon'ble Family Court, Puducherry to the III Additional Family Court at Chennai, where the Maintenance Petition in M.C.No.535 of 2018 is pending.

For Petitioner : Mr.K.P.Sathish Kumar
For M/s.Ojas Law Firm

For Respondent : Not Ready in Notice

ORDER

The petition for transfer is filed to transfer M.O.P.No.290 of 2018 from Family Court, Puducherry to the III Additional Family Court at Chennai, where the Maintenance Petition in M.C.No.535 of 2018 is pending.

2. The wife filed the present Transfer Petition to transfer the Divorce Petition filed by the respondent to the III Additional Family Court at Chennai.

3. The marriage between the petitioner and the respondent was solemnized on 05.05.2017 and the petitioner and the respondent started their Matrimonial life happily. Due to misunderstanding, they left the Matrimonial home and living separately. The petitioner states that now she is residing with her parents at Chennai. The respondent filed M.O.P.No.290/2018 for Dissolution of Marriage before the Family Court at Puducherry.

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4. The learned counsel for the petitioner states that the petitioner is unemployed and depending upon her aged parents therefore, she is not in a position to travel and contest the Divorce Petition filed by the respondent before the Puducherry. Thus, the Present Transfer Petition is filed to transfer the cases.

5. In view of the fact that the reasons stated for transfer of the case is convincing, M.O.P.No.290 of 2018 now pending before the Family Court, Puducherry stands transferred to the III Additional Family Court, Chennai to be tried along with Maintenance Petition filed by the petitioner in M.C.No.535 of 2018.

6. Accordingly, this Transfer Civil Miscellaneous Petition No.310 of 2019 stands allowed and M.O.P.No.290 of 2018 pending before the Family Court, Puducherry is directed to be transferred to the III Additional Family Court, Chennai . However, there shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS-III)

//True Copy//

Sub Assistant Registrar

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To

1.The Judge,
Family Court,
Puducherry.

2.The Judge,
III Additional Family Court,
Chennai.

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