

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.02.2021

CORAM

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

Tr.C.M.P.No.60 of 2015
and
M.P.No.1 of 2015

M.Mumtaj @ Parveen ... Petitioner/Defendant

vs.

M.Abdul Kaffar ... Respondent/Plaintiff

PRAYER : Transfer CMP is filed under Section 24 of the Civil Procedure Code, to withdraw and transfer the divorce petition in O.S.No.6 of 2014 pending on the file of the learned District Munsif, Thiruvannamalai District to the learned District Munsif, Vellore District.

For Petitioner : Mr.R.Vasudevan
for Mr.E.Kannadasan

For Respondent : No-appearance

O R D E R

The petition is filed to withdraw and transfer the divorce petition in O.S.No.6 of 2014 pending on the file of the learned District Munsif, Thiruvannamalai District to the learned District Munsif, Vellore District.

2. The marriage between the petitioner and the respondent was solemnized on 30.01.2005 as per the Muslim Rites and Customs. The petitioner and the respondent lived together for about two months. Thereafter, on account of difference of opinion, they are living separately.

3. The learned counsel for the petitioner states that the petitioner filed a maintenance case in M.C.No.1 of 2010 and M.C.No.31 of 2009 is filed for interim maintenance. The petitioner/wife is unemployed and residing with her parents. Therefore, she is not in a position to travel and contest the divorce case filed by the respondent in O.S.No.6 of 2014.

4. The place of the wife is preferable as far as the matrimonial disputes are concerned. In the present case, the petitioner/wife is unemployed and depending on her parents. This being the factum, O.S.No.6 of 2014 pending on the file of the District Munsif Court, Thiruvannamalai stands transferred to the District Munsif Court, Vellore.

5. Accordingly, the Transfer Civil Miscellaneous Petition stands allowed. No costs. Consequently, connected miscellaneous petition is also closed.

Sd/-
Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar

ssb

To

1.The District Munsif,
Thiruvannamalai.

2.The District Munsif,
Vellore.

+lcc to Mr.E.Kannadasan, Advocate Sr.10492

सत्यमेव जयते

Tr.CMP.No.60 of 2015

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srg 16/03/2021

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