

TRANSFER PETITION (CIVIL.) NO(s). 106 OF 2009

SAJJA HEMA SUDHA

Petitioner(s)

VERSUS

SAJJA BALAJI

Respondent(s)

O R D E R

This petition for transfer is filed by the wife seeking transfer of the divorce petition filed by the husband under Section 13(1)(i) of Hindu Marriage Act, 1955, from the Sub-ordinate Judge, Madurantakam, Kancheepuram District, Tamil Nadu to Senior Civil Judge, Chirala, Prakasam District, Andhra Pradesh.

The respondent though served has not entered appearance. The petitioner has alleged that she is not in a position to travel from her place of residence in the Prakasam District, Andhra Pradesh to Tamil Nadu and there is no one to accompany her also. Her petition for restitution of conjugal rights is also pending before the Senior Civil Judge, Chirala. In the circumstances, we consider this a fit case for transfer.

We therefore allow this petition. Case HMOP No.14 OF 2008 pending in the Court of Ld.Subordinate Judge at Madhurantakam, Kancheepuram District, Tamil Nadu (Balaji vs. Hemasudha) is ordered to be transferred to the court of Senior Civil Judge, Chirala, Prakasam District, Andhra Pradesh.

.....J.
[R.V. RAVEENDRAN]
.....J.
[G.S. SINGHVI]

NEW DELHI
NOVEMBER 16, 2009

ITEM NO.71

Court No.5

SECTION XVIA

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

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(With appln(s) for stay and office report)

Date: 16/11/2009

This Petition was called on for hearing today.

HON'BLE MR. JUSTICE R.V. RAVEENDRAN
HON'BLE MR. JUSTICE G.S. SINGHVI

For Respondent(s)

UPON hearing counsel the Court made the following
O R D E R

The Transfer Petition is allowed. Case HMOP No.14 OF
2008 pending in the Court of Ld.Subordinate Judge at
Madhurantakam, Kancheepuram District, Tamil Nadu (Balaji vs.
Hemasudha) is ordered to be transferred to the court of
Senior Civil Judge, Chirala, Prakasam District, Andhra
Pradesh.
(O.P. Sharma) (M.S. Negi)
Court Master Court Master
(Signed order is placed on the file.)