

IN THE SUPREME COURT OF INDIA

CIVIL ORIGINAL JURISDICTION

TRANSFER PETITION (CIVIL) NO. 758 OF 2012

K. KOMAL

PETITIONER(s)

VERSUS

P. KAILASH JAIN

RESPONDENT(s)

O R D E R

This is wife's petition for transfer of matrimonial case being O.P. No. 1567 of 2012, titled as "P. Kailash Jain vs. K. Komal", from the Family Court, Chennai, Tamil Nadu to the Family Court, Raichur, Karnataka.

2. Despite having been given enough time for settlement through the process of mediation, the parties could not arrive at any mutual settlement.

3. We have heard learned counsel for the parties and perused the averments made in the transfer petition and the reply affidavit filed by the respondent.

4. Having regard to the fact that the petitioner-wife is staying in Raichur (Karnataka), we are satisfied that greater hardship shall be caused to her in case the proceedings in the above

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matrimonial case are allowed to be continued at Chennai (Tamil Nadu).

5. We, accordingly, allow the transfer petition and transfer matrimonial case being O.P. No. 1567 of 2012, titled as "P. Kailash Jain vs. K. Komal", from the Family Court, Chennai, Tamil Nadu to the Family Court, Raichur, Karnataka. The transferrer court shall transmit the record and proceedings of the transferred matrimonial case to the transferee court without any delay.

6. The transferee court is requested to hear and decide the transferred matrimonial case as expeditiously as may be possible.

The parties are directed to co-operate with the transferee court in expeditious disposal of the matrimonial case.

7. No costs.

.....J.  
( R.M. LODHA )

