

IN THE SUPREME COURT OF INDIA

CIVIL ORIGINAL JURISDICTION

TRANSFER PETITION(CIVIL) NO. 643 OF 2020

NITHYA

PETITIONER(S)

VERSUS

SIVAKUMAR

RESPONDENT(S)

O R D E R

Heard learned counsel for the petitioner.

The petitioner is the wife of the respondent. She is seeking transfer of the petition for divorce being M.C. No. 6441/2019 filed by the respondent herein pending before the Principal Family Judge at Bangalore, Karnataka to the Court of the Principal Judge, Family Court at Chennai.

Notice was ordered in this transfer petition on 18.06.2020.

As per the office report, notice issued through post on 31.07.2020 returned with the remarks "Door Locked, Unclaimed". Therefore, notice was issued through the concerned District Court and it was served on the respondent personally on 21.12.2020.

Despite a lapse of more than 18 months, the respondent has not chosen to enter appearance through learned counsel or file a counter affidavit.

Therefore, considering the facts and circumstances of this case, the transfer petition is allowed.

The Principal Judge, Family Court at Chennai may take up the matter in the same Court or may assign the matter to another Judge in the Family Court at Chennai.

Let the records pertaining to M.C. No. 6441/2019 be transferred to the transferee Court at the earliest.

Pending applications, if any, shall stand disposed of.

..... J.
[V. RAMASUBRAMANIAN]

NEW DELHI;
JULY 26, 2022.

ITEM NO.1612

COURT NO.7

SECTION XVI-A

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Transfer Petition(Civil) No. 643/2020

NITHYA

Petitioner(s)

VERSUS

SIVAKUMAR

Respondent(s)

(IA No. 54095/2020 - EXEMPTION FROM FILING O.T.
IA No. 54094/2020 - STAY APPLICATION)

Date : 26-07-2022 These matters were called on for hearing today.

CORAM : HON'BLE MR. JUSTICE V. RAMASUBRAMANIAN

For Petitioner(s) Ms. Srishti Agnihotri, AOR
Ms. Sanjana Grace Thomas, Adv.

For Respondent(s)

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

Heard learned counsel for the petitioner.

The transfer petition is allowed in terms of the signed order.

Pending applications, if any, shall stand disposed of.

(MANISH ISSRANI)
COURT MASTER (SH)(MATHEW ABRAHAM)
COURT MASTER (NSH)

(SIGNED ORDER IS PLACED ON THE FILE)