

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.02.2016

CORAM

THE HON'BLE MR. JUSTICE P.R.SHIVAKUMAR

Transfer C.M.P.No.17 OF 2015 and
M.P.No.1 of 2015

Daivanai alias Srividya

... Petitioner

Vs.

1. T.Arunachalam,
2. Gajendran

... Respondents

Transfer C.M.P. is filed under Section 24 of Civil Procedure Code praying to withdraw H.M.O.P.No.3199 of 2014 on the file of III Additional family Judge at Chennai and transfer the same to the file of Sub-ordinate Court at Trichy, to try along with H.M.O.P.No.172 of 2012 on the file of Sub-ordiante Court, Trichy.

For Petitioner

: Mr.D.J.Venkatesan

For Respondents

: Mr.S.Jayakumar for R.1
Mr.N.Mohammed Shaji for R.2

ORDER

This Transfer C.M.P has been filed for the transfer of H.M.O.P.No.3199 of 2014 filed by the 1st respondent herein in the Family Court, Chennai, which is now pending on the file of the III Additional Judge,

Family Court, Chennai, to the Subordinate Court at Tiruchirapalli for its trial along with H.M.O.P.No.172 of 2012 on the file of the Subordinate Court, Tiruchirapalli filed by the petitioner herein.

2. Though the petitioner has mentioned the exact Court in which the H.M.O.P., which is sought to be transferred is pending, the petition is silent about which of the four Subordinate Judges in Tiruchirapalli before whom the H.M.O.P filed by the petitioner is pending. As the prayer is nebulous, this Court deems it appropriate to dismiss the petition for transfer. Accordingly, the Transfer C.M.P is dismissed. However, the petitioner shall be at liberty to file a fresh petition with proper and accurate particulars. No costs. Consequently, the connected miscellaneous petition is also dismissed.

11.02.2016

Index:Yes/No

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To

1. The III Additional Judge, Family Court, Chennai
2. The Subordinate Judge, Trichy.

P.R.SHIVAKUMAR,J.
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Tr.C.M.P.No.71 of 2015

11.02.2016