

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE: 7.4.2015

CORAM

THE HON'BLE MR.JUSTICE N.KIRUBAKARAN

Tr.C.M.P.No.231 of 2014

and

M.P.No.1 of 2014

K.Priya

Petitioner

vs.

M.Theepan

Respondent

Petition to withdraw I.D.O.P.No.9 of 2014 from the file of the District Judge of Nilgiris at Ootacamund to transfer the same to the Family Court, Chennai for joint disposal with M.C.No.41 of 2014 pending before III Family Court, Chennai.

For petitioner : Mr.S.Mohan

ORDER

Wife has come before this court seeking transfer of I.D.O.P.No.9 of 2014 pending on the file of the District Court, Nilgiris, Ootacamund to the file of the Family Court, Chennai to be tried alongwith M.C.No.41 of 2014 pending before the III Family Court, Chennai.

2. Though notice has been served on the respondent and his name also appears in the cause list, the respondent neither appeared through a counsel nor in person. Therefore, this court has decided to proceed with the adjudication on merits.

3. The petitioner is living with her minor child alongwith her brother whereas it is contended by the learned counsel for the petitioner that the respondent is working in Ahamedabad. However, for the reasons best known to him, the respondent has chosen to file the I.D.O.P. for restitution of conjugal rights before the District Judge, Nilgiris.

4. Taking into consideration that the petitioner has got a two year old child, it would be impossible for a lady to travel from Chennai to Ootacamund to appear before the District Court, Ootacamund. Therefore, in the interest of justice, the petition in

I.D.O.P.No.9 of 2014 pending on the file of the District Court, Nilgiris is transferred to the file of the III Family Court, Chennai to be tried alongwith M.C.No.41 of 2014. The III Family Court Judge is directed to dispose of the cases as expeditiously as possible.

5. The Transfer Civil Miscellaneous Petition is ordered accordingly. No costs. The connected miscellaneous petition is closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

ssk.

To

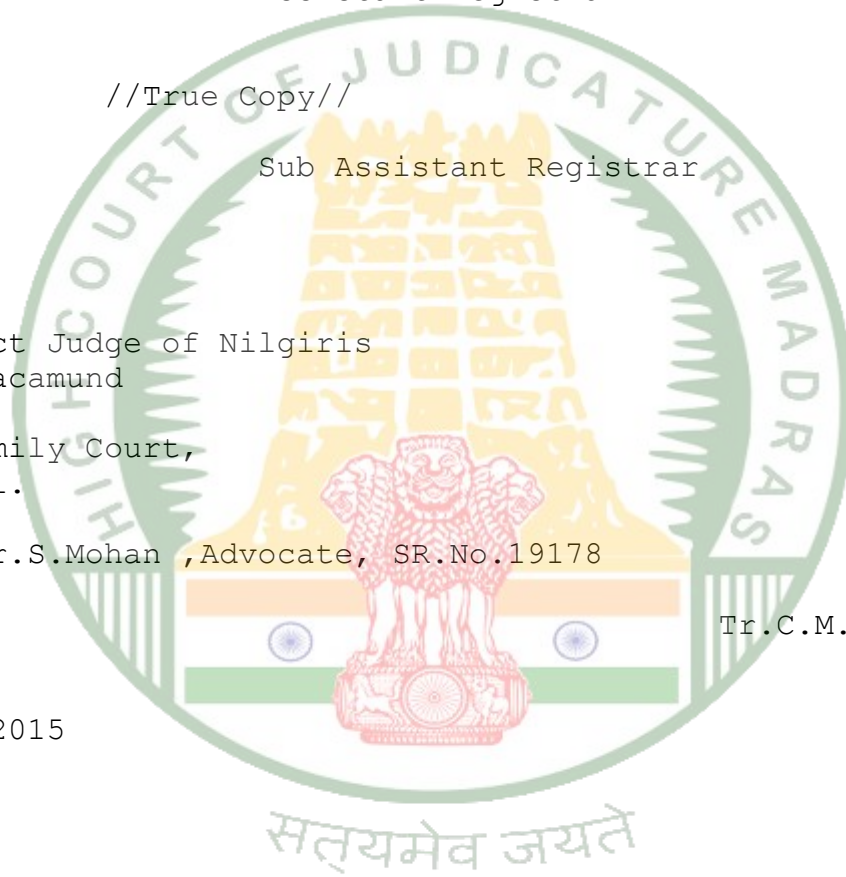
1. District Judge of Nilgiris
at Ootacamund

2. III Family Court,
Chennai.

1 cc to Mr.S.Mohan ,Advocate, SR.No.19178

Tr.C.M.P.No.231 of 2014

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pmk.23.4.2015



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