

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.09.2015

CORAM

THE HONOURABLE THIRU JUSTICE D.HARIPARANTHAMAN

Tr.C.M.P.No.491 of 2014 &
M.P.No.1 of 2014

C.Mahalakshmi

... Petitioner

v.

K.Sivashankar

... Respondent

Tr.C.M.P. filed under section 24 of C.P.C., to withdraw the divorce petition in H.M.O.P.No.13 of 2014 from Hon'ble Family Court, Tiruchirapalli and transfer to the Principal Family Judge, Chennai to be tried along with GWOP case in GWOP No.1607 of 2014.

For Petitioner : Ms.D.Mary Rose Poongothai

For Respondent : Mr.K.Subbu Ranga Bharathi

O R D E R

The petitioner is the wife of the respondent. The respondent filed HMOP No. 13 of 2014 on the file of Family Court, Trichirapalli for divorce. The petitioner filed GWOP No.1607 of 2014 on the file of Principal Family Court, Chennai, to appoint her as natural guardian of the minor son Master.S.Eeshwar.

2. The petitioner has filed the above Transfer C.M.P. to withdraw H.M.O.P.No.13 of 2014 from the file of Family Court, Tiruchirapalli and transfer the same to Principal Family Court, Chennai to be tried along with GWOP No.1607 of 2014.

3. It is stated that M.C.No.168 of 2014 was also filed by the petitioner for maintenance and the same is pending before III Additional Family Court, Chennai.

4. In view of section 19(iii-a) of the Hindu Marriage Act, H.M.O.P. may be tried at the place where the wife resides.

5. In these circumstances, I direct for withdrawal of H.M.O.P.No.13 of 2014 from the file of Family Court, Trichy and transfer the same to the file Principal Family Court, Chennai to be tried along with GWOP No.1607 of 2014. In order to meet the ends of justice, I am inclined to transfer M.C.No.168 of 2014 from the file of III Additional Family Court, Chennai to the file of Principal Family Court, Chennai, so that parties would have a joint trial.

The Transfer C.M.P is disposed of accordingly. No costs.
Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar

True Copy

Sub Assistant Registrar

svki

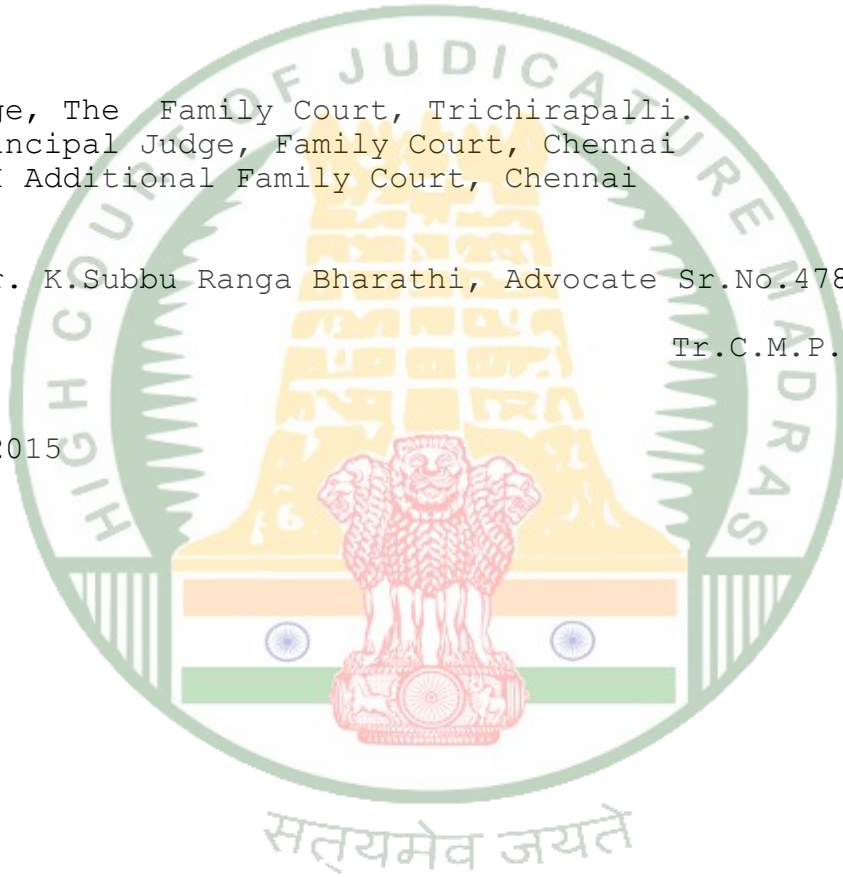
To

- 1.The Judge, The Family Court, Trichirapalli.
2. The Principal Judge, Family Court, Chennai
3. The III Additional Family Court, Chennai

1 cc to Mr. K.Subbu Ranga Bharathi, Advocate Sr.No.47828

Tr.C.M.P.No.491 of 2014

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