

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.06.2015

CORAM

THE HONOURABLE MR.JUSTICE N.KIRUBAKARAN

TR.CMP.No.504 of 2014

K.Bhavani

...Petitioner

Vs.

S.Bharath Mohan

...Respondent

Prayer : This Transfer Civil Miscellaneous Petition has been filed under Section 24 of C.P.C to withdraw HMOP.No.28 of 2014 pending on the file of Sub Ordinate Court, Cheyyar and transfer the same to the Principal Family Court, Chennai and try along with HMOP.No.599 of 2014 on the file of Hon'ble Principal Family Court, Chennai.

For the Petitioner : Mrs.V.Bhavani Subbaroyan for
M/s Royan Law Associates

JUDGMENT

The wife has come before this Court seeking to transfer the divorce petition filed by the respondent/husband before the Sub Court, Cheyyar on the ground that she is residing in Koyambedu, Chennai

2. Notice was ordered on 21.08.2014.

3. Notice sent by the learned counsel for the petitioner was refused by the respondent is evident from the returned postal cover. Therefore, this Court deems it sufficient and without prejudice, decides on merits.

4. The petitioner is living with her mother in Koyambedu and it is impossible for her to travel from Madras to Cheyyar, which is 200 kms away. Therefore, to meet the interest of justice, this Court orders transfer of HMOP.No.28 of 2014 filed by the respondent, pending on the file of Sub Court, Cheyyar and to be taken up with the HMOP.No.599 of 2014 on the file of Principal Family Court, Chennai, filed by the petitioner for restitution of Conjugal Rights, which is already pending.

5. The Principal Family Court, Chennai is directed to dispose of both the cases, viz., HMOP.No.28 of 2014 and HMOP.No.599 of 2014 together, at the earliest. Accordingly, this Transfer Civil Miscellaneous Petition is ordered. Consequently, connected M.P.No.1 of 2014 is closed.

Sd/-
Assistant Registrar (CS-III)

//True Copy//

Sub Assistant Registrar

adl

To

1. The Sub Ordinate Judge,
Cheyyar.

2. The Judge,
Principal Family Court,
Chennai.

1 CC to M/s Royan Law Associates, Advocate SR.No. 26548

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ALA (CO)
PSI (19.06.2015)



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