

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.11.2015

CORAM :

THE HONOURABLE MS. JUSTICE R.MALA

Tr.C.M.P. No.864 of 2014

and M.P.No.1 of 2014

Chandan Devi

... Petitioner

Vs.

Mohan

... Respondent

Prayer:- Petition has been filed under Section 24 of C.P.C., praying, to withdraw the case in H.M.O.P.No.112 of 2014 on the file of the Sub Court, Sivagangai and transfer the same to the file of the III Additional Family Court, Chennai.

For Petitioner : Mr.A.R.Sakthivel
For Respondent : Mr.P.Sidharthan

O R D E R

The petitioner/wife, who is the respondent in H.M.O.P.No.112 of 2014, has filed this petition to transfer H.M.O.P.No.112 of 2014 pending on the file of the Sub-Court, Sivagangai, to the file of the III Additional Family Court, Chennai where she filed a petition for maintenance in M.C.No.567 of 2014.

2.At this juncture, the learned counsel for the respondent/husband would submit that without admitting the allegation in this petition, he has no objection to transfer the case in H.M.O.P.No.112 of 2014 to the file of the III Additional Family Court, Chennai. He has also made an endorsement to that effect. It is further submitted that he sought for an earlier disposal of the petition in H.M.O.P.No.112 of 2014.

3.Considering the arguments of both sides, since the respondent has no objection to transfer the case, the petition in H.M.O.P. No.112 of 2014, which is now pending on the file of the Sub-Court, Sivagangai, is ordered to be withdrawn and transferred to the file of the III Additional Family Court,

Chennai, for disposal in accordance with law. The Presiding Officer, Sub-Court, Sivagangai, is directed to transmit all the records pertaining to H.M.O.P.No.112 of 2014 to the III Additional Family Court, Chennai, within a period of fifteen days from the date of receipt of a copy of this order. The Presiding Officer, III Additional Family Court, Chennai, is directed to dispose of the petition in H.M.O.P.No.112 of 2014, after giving fair opportunity to both sides, within four months from the date of receipt of the material papers.

4.With the above direction, the Transfer Civil Miscellaneous Petition is disposed of. No costs. Consequently, connected Miscellaneous Petition is closed.

-s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

cse

To

- 1.The Sub-Court, Sivagangai.
- 2.The III Additional Family Court, Chennai.

+1 cc to Mr.A.R.Sakthivel Advocate sr.59652

+1 cc to Mr.P.Sidharthan Advocate sr.59597

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