

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.11.2015

CORAM :

THE HONOURABLE MS. JUSTICE R.MALA

Tr.C.M.P. No.163 of 2015
and
M.P.No.1 of 2015

R.Karthikeyan

... Petitioner

Vs.

P.Ramya

.... Respondent

Prayer:- Petition has been filed under Section 24 of C.P.C., praying, to withdraw the case in H.M.O.P.No.146 of 2014 on the file of the Sub Court, Perambalur and transfer the same to the file of the Family Court, Chennai.

For Petitioner : Mr.A.Ilayaperumal

For Respondent : Mr.T.Seenivasan

O R D E R

The petitioner/husband, who is the respondent in H.M.O.P.No.146 of 2014, has filed this petition to transfer H.M.O.P.No.146 of 2014 pending on the file of the Sub-Court, Perambalur, to the file of the Family Court, Chennai.

2.Heard the learned counsel for the petitioner and the learned counsel for the respondent.

3.Learned counsel for the petitioner/husband submitted that originally the respondent/wife resided within the jurisdiction of the Sub Court, Perambalur, but now she is working at Chennai. He further submitted that the petitioner/husband is also residing at Chennai. Hence, he pray to transfer the case in H.M.O.P.No.146 of 2014 from the file of the Sub Court, Perambalur and transfer the same to the Family Court at Chennai.

4.Learned counsel for the respondent/wife has fairly conceded that the respondent/wife is now working at Chennai. However, he prayed for dismissal of the petition.

5.Considered the rival submissions made by both sides and perused the typed set of papers.

6.Considering the arguments of both sides and since both the petitioner and the respondent are living at Chennai, I am inclined to order transfer. The Presiding Officer, Sub-Court, Perambalur, is directed to transmit all the records pertaining to H.M.O.P.No.146 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.146 of 2014, after giving fair opportunity to both sides, within six months from the date of receipt of the material papers.

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

Sd/-

Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

cse

To

1.The Sub-Court,
Perambalur.

2.The III Additional Family Court,
Chennai.

+1cc to Mr.A.Ilayaperumal, Advocate, S.R.No.65199

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PA(CO)
CA(16/12/2015)