



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:5-3-2015

CORAM

THE HONOURABLE MR.JUSTICE N.KIRUBAKARAN

Tr.CMP.No.27 of 2015

J.V.Jonadap

... Petitioner

Versus

U.Sugirtha

... Respondent

This petition is filed under Section 24 of C.P.C. to withdraw and transfer the M.C.No.61 of 2014 on the file of the Judicial Magistrate at Tambaram to III Additional Family Court, Chennai, to be tried along with O.P.No.2718 of 2009.

For Petitioner : Mr.D.S.Ramesh

For Respondent : Mr.V.Mahalingam

ORDER

The husband has come out with this transfer petition to transfer the maintenance case in M.C.No.61 of 2014 filed by the respondent on the file of Judicial Magistrate, Tambaram to III Additional Court Family Court, Chennai, where O.P.No.2718 of 2009 filed by the petitioner for divorce is pending.

2. The petitioner got married with the respondent. Subsequently, dispute arose and therefore, they are living separately. Respondent filed M.P.No.61 of 2014 before the Judicial Magistrate, Tambaram seeking maintenance to the tune of Rs.20,000/- per month. The petitioner filed a petition for divorce before the III Additional Family Court, Chennai in O.P.No.2718 of 2009 on the ground that the marriage was not consummated and on the ground of cruelty.

3. Heard the learned counsel appearing for the petitioner and the learned counsel appearing for the respondent. Though the transfer petition has been filed by the petitioner-husband, both the parties have been directed to appear before this court to find out a solution to sort out their problem. After conciliation, it is agreed by both



the parties that the petitioner shall pay a sum of Rs.15,000/- per month on or before 10th of every calendar month to the account of the respondent-wife.

4. Since the O.P.No.61 of 2014 filed by the respondent is only for maintenance and the parties have filed a joint memo stating that Rs.15,000/- would be paid as permanent maintenance every month, the O.P.No.61 of 2014 pending on the file of the Judicial Magistrate Tambaram is withdrawn and is disposed of by this order.

5. In view of the joint memo and the statement made by the parties before this court, the petitioner shall pay a sum of Rs.15,000/- every month to the account of the respondent. In view of the disposal of O.P.No.61 of 2014 by the order of this court, the above transfer petition is unnecessary and the same is closed. No costs. However, the III Additional Family Court, Chennai is directed to dispose of the O.P.No.2718 of 2009 pending on its file expeditiously. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

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To

1. The Judicial Magistrate, Tambaram.

2. The Judge, III Additional Family Court, Chennai.

+1cc to M/s.D.S.Ramesh, Advocate, S.R.No.12417

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UD(CO)
CA(19/03/2015)