

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 31.07.2015

CORAM

THE HONOURABLE MR.JUSTICE N.KIRUBAKARAN

TR.CMP.No.414 of 2015

and

M.P.No.1 of 2015

C.Suganya

... Petitioner

Vs.

Sivakumar

... Respondent

Prayer: This petition has been filed Under Section 24 of the Code of Civil Procedure code to withdraw the case in O.P.No.4492 of 2010 in I.A.No.599 of 2014 on the file of the Principal Family Court, Chennai and the same to be transferred to the file of the Additional Family Court, Chennai.

For Petitioner : Mr.M.Muthusamy

For Respondent : Mr.A.K.Gopalan

O R D E R

The petitioner/wife has come before this Court seeking transfer of O.P.No.4492 of 2010 filed by her for dissolution of marriage and H.M.O.P.No.1649 of 2014 filed by the respondent/husband before the Principal Family Court, Chennai, for restitution of conjugal rights and I.A.No.599 of 2014 filed by the respondent/husband for visiting rights to the file of Additional Family Court, Chennai.

2. Both parties are present and accompanied by their respective counsel.

3. Both the learned counsel are directed to conciliate the matter. However, they could not succeed. The respondent is present before this Court and seeks visiting rights of the minor Subhanith kumar, who is in the custody of the petitioner.

4. Taking into consideration, there is some inconvenience to the petitioner, to appear before the Principal Family Court, Chennai, therefore, in the interest of both the parties, it is appropriate to transfer the O.P.No.4492 of 2010 pending on the file of the Principal Family Court, Chennai to the file of the Additional Family Court, Chennai, for disposal. Meanwhile, the respondent/husband is directed to have visiting rights of the minor child in the first week of every month from 3.00 p.m to 5.00 p.m. in Kendriya Vidhayalaya , IIT, Chennai, till the disposal of the main petition.

5. In the result, the Transfer Civil Miscellaneous Petition is disposed of, granting decree of divorce as stated above. Consequently, connected Miscellaneous Petition is closed. No costs.

Sd/-
Assistant Registrar(J)

//True Copy//

Sub Assistant Registrar

kkd

To

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

+1cc to Mr.M.Muthusamy, Advocate, S.R.No.39887

TR.CMP.No.414 of 2015
and
M.P.No.1 of 2015

EV(CO)
CA(19/08/2015)

WEB COPY