

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.09.2015

CORAM

THE HONOURABLE MR.JUSTICE D.HARIPARANTHAMAN

Tr.C.M.P.No.658 of 2015

and

M.P.No.1 of 2015

T.S.Sri Magesh

... Petitioner

Vs.

Santhanalakshmi S.

... Respondent

Transfer petition has been filed to withdraw and transfer M.C.No.164 of 2013 from the file of the learned II Additional Judge, Family Court, Chennai to the file of Family Court at Cuddalore to be tried along with HMOP No.66 of 2013 by way of joint trial.

For petitioner : Mr.M.Tamil Priyan

ORDER

The petitioner is the husband. He has filed a petition in H.M.O.P.No.66 of 2013 on the file of Family Court at Cuddalore seeking divorce. The respondent wife filed a petition in M.C.No.164 of 2013 on the file of II Additional Family Court, Chennai seeking maintenance. Now, the petitioner has filed the present transfer petition to transfer M.C.No.164 of 2013 pending on the file of II Additional Family Court, Chennai to the file of Family Court, Cuddalore to be tried along with HMOP No.66 of 2013 filed by him.

2. Learned counsel appearing for the petitioner admits that the respondent wife resides at Chennai. Hence, she has filed M.C.No.164 of 2013 at Chennai. Therefore, if M.C.No.164 of 2013 is transferred to Cuddalore, the respondent wife would be put to great hardship. Hence, I am not inclined to transfer M.C.No.164 of 2013 to the file of Family Court, Cuddalore as sought for by the petitioner. On the other hand, I am of the view, it is better if HMOP No.66 of

2013 is transferred to the file of II Additional Family Court, Chennai to be tried along with M.C.No.164 of 2013.

3. In the result, the transfer CMP is disposed of, with a direction to the learned Judge of Family Court, Cuddalore to transfer HMOP No.66 of 2013 pending on his file to the file of learned II Additional Judge, Family Court, Chennai, to be tried along with M.C.No.164 of 2013. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

sbi

To

1. The Judge,
Family Court,
Cuddalore.
2. The II Additional Judge,
Family Court,
Chennai.

+1cc to Mr.M.Tamil Priyan, Advocate, S.R.No.51935

Tr.C.M.P.No.658 of 2015

ALA(CO)
CA(07/10/2015)

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