

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.10.2015

CORAM

THE HONOURABLE MR.JUSTICE D.HARIPARANTHAMAN

Tr.C.M.P.No.771 of 2015

and

M.P.No.1 of 2015

Brinda Iyer

...Petitioner/Respondent

vs.

Karthikeyan

...Respondent/Petitioner

Transfer petition has been filed to withdraw the H.M.O.P.No.393 of 2015 pending on the file of the Sub Court, Tambaram and transfer the same to the II Additional Family Court, Chennai.

For petitioner : Mrs.Gajalakshmi Rajendran

ORDER

The petitioner is the wife and the respondent is the husband. The respondent / husband filed H.M.O.P.No.393 of 2015 on the file of Sub Court, Tambaram for restitution of conjugal rights.

2. While so, the petitioner/wife filed O.P.No.2953 of 2015 before the II Additional Family Court, Chennai to declare that the marriage is nullity.

3. As per O.P.No.2953 of 2015, the petitioner resides at Puzhathivakkam. Even in the affidavit filed in support of this petition, it is stated that she resides at Puzhathivakkam. Puzhathivakkam is nearer to Tamabram. Hence, I am of the view that it is better to transfer the O.P.No.2953 of 2015 from the file of II Additional Family Court, Chennai to the file of Sub Court, Tambaram.

4. While so the petitioner filed this petition to transfer the H.M.O.P.No.393 of 2015 pending on the file of Sub Court, Tambaram to II Additional Family Court, Chennai.

5. In my view, since the petitioner resides at Puzhathivakkam, it is better to transfer the O.P.No.2953 of 2015 filed by the petitioner/wife from the file of II Additional Family Court, Chennai to Sub Court, Tambaram to try along with H.M.O.P.No.393 of 2015. It is stated that in the trial Court proceedings with the Sub Court, the parties need not appear for every hearing.

6. Accordingly, this Transfer Civil Miscellaneous petition is disposed of and the O.P.No.2953 of 2015 filed by the petitioner/wife is transferred from the file of II Additional Family Court, Chennai to Sub Court, Tambaram to be tried along with H.M.O.P.No.393 of 2015. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar (CS-III)

//True Copy//

Sub Assistant Registrar

vsm

To

1. The Presiding Officer,
II Additional Family Court,
Chennai.

2. The Subordinate Judge,
Tambaram.

Tr.C.M.P.No.771 of 2015

VGI (CO)
PSI (26.11.2015)