

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.10.2016

CORAM:

THE HONOURABLE MR.JUSTICE K.K.SASIDHARAN

Transfer CMP No.125 of 2015 and

MP.No.1 of 2015

ShamundeeswariPetitioner/Respondent

versus

Muthuvelrajan ...Respondent/Petitioner

PRAYER: Tr.C.M.P. filed under section 24 of C.P.C., to withdraw HMOP No.5 of 2011 from the Court of Sub-Judge at Devakottai and transfer the same to the Family Court at Madras.

For Petitioner : Ms.S.M.Anusha
For Respondent : Mr.S.Parthasarathy

O R D E R

The respondent initiated proceedings for divorce in HMOP No.5 of 2011 before the Sub-Court at Devakottai. The petitioner, who is the respondent in HMOP No.5 of 2011 has come up with this transfer petition.

2. Heard the learned counsel for the petitioner and the learned counsel appearing on behalf of the respondent.

3. The proceedings are now pending before different Courts. The divorce proceedings in HMOP No.5 of 2011 is pending on the file of Sub-Court at Devakottai. The petitioner initiated two other proceedings before the II Additional Family Court at Chennai. Those proceedings are M.C.No.319 of 2015 and OP.No.916 of 2016. The request now is to transfer the matrimonial proceedings in HMOP No.5 of 2011 to the file of II Additional Family Court, Chennai.

4. The petitioner is a resident of Nungambakkam. According to the petitioner, it would not be possible for her to defend the proceedings in HMOP No.5 of 2011 on the file of Sub-Court, Devakottai.

5. There are three proceedings pending before the Courts. It would be in the interest of both the parties to transfer the matter to a particular Court for disposal along with other proceedings. I am therefore of the view that the transfer petition deserves to be allowed.

6. The proceedings in H.M.O.P.No.5 of 2011 is withdrawn from the file of Sub-Court, Devakottai and is transferred to the file of II Additional Family Court, Chennai, for disposal along with M.C.No.319 of 2015 and OP.No.916 of 2016.

7. The Transfer Civil Miscellaneous Petition is allowed as indicated above. No costs. Consequently, connected miscellaneous petition is closed.

-s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

svki

To

1.The Sub-Judge, Devakottai

2.The Presiding Judge,
The II Additional Family Court, Chennai

+1 cc to M/s.S.Parthasarathy Advocate sr 58416

Transfer CMP No.125 of 2015

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