

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.09.2016

CORAM:

THE HONOURABLE MR. JUSTICE K.K.SASIDHARAN

Tr.CMP.No.465 of 2015

and MP.No.1 of 2015

M.Thamilkani

.. Petitioner

Vs.

B.Murugan

.. Respondent

Prayer: Transfer Petition filed under Section 24 of Civil Procedure Code, praying to withdraw HMOP.No.106 of 2015 pending on the file of the Additional Sub Court, Thanjavur and transfer the same to the II Additional Family Court, Chennai for being tried along with HMOP.No.2439 of 2013 filed by the petitioner.

For Petitioner : Mr.R.Santhanam

For Respondent : No Appearance

ORDER

Heard the learned counsel appearing for the petitioner. None appears on behalf of the respondent inspite of printing his name in the cause list, after service.

2. The petitioner initiated proceedings in HMOP.No.2439 of 2013 before the II Additional Family Court, Chennai, against the respondent praying for a decree of divorce. The respondent on the other hand filed HMOP.No.106 of 2015 before the Additional Sub Court, Thanjavur, invoking Section 9 of the Hindu Marriage Act.

3. The petitioner now seeks an order for transfer of the proceedings in HMOP.No.106 of 2015, pending before the Additional Sub Court, Thanjavur.

4. The petitioner is a resident of Chennai. The petitioner expressed her difficulties in appearing before the Court at Thanjavur. The petitioner has already filed a matrimonial proceedings in HMOP.No.2439 of 2013 before the II Additional Family Court at Chennai.

5. There is nothing on record to dispute the averments found in the transfer petition. I am therefore of the view that the proceedings in HMOP.NO.106 of 2015 requires to be transferred to the II Additional Family Court at Chennai.

6. In the result, the proceedings in HMOP.NO.106 of 2015 is withdrawn from the file of Additional Sub Court, Thanjavur and is transferred to the file of II Additional Family Court at Chennai for trial along with HMOP.No.2439 of 2013.

The transfer petition is allowed as indicated above. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Asst. Registrar.

/true copy/

Sub Asst. Registrar.

ds

To

1 The Additional Sub Judge,
Thanjavur

2 The II Additional Judge, Family Court,
Chennai

+1 CC to Mr. R. Santhanam, Advocate Sr.No.52206

Tr.CMP.No.465 of 2015

AK (CO)

MD : 19/10/2016

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