

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.10.2016

CORAM:

THE HONOURABLE MR.JUSTICE K.K.SASIDHARAN

TR CMP NO.743 OF 2015  
AND MP NO.1 OF 2015

Gayathri

... Petitioner

Versus

Badrinath

... Respondent

PRAYER: Petition filed under Section 24 of the Code of Civil Procedure with a prayer to withdraw and transfer the proceedings in H.M.O.P.No.148 of 2014 before the Sub Court, Kallakurichi, Villupuram District, to the file of the Sub Court at Pollachi to be tried and heard simultaneously or jointly along with H.M.O.P.No.86 of 2014 pending before the Sub Court, Pollachi.

For Petitioner : Mr.A.S.Vijayaragavan

For Respondent : Mr.S.Pugalenthir

O R D E R

The respondent instituted a proceedings in H.M.O.P.No.148 of 2014, before the Sub Court, Kallakurichi, Villupuram District, against the petitioner, praying for a decree of divorce.

2. The petitioner, on the other hand, instituted a proceedings in H.M.O.P.No.86 of 2014, before the Sub Court, Pollachi, praying for a decree of declaration regarding nullity of marriage.

3. The petitioner has come up with this Transfer Civil Miscellaneous Petition to transfer the proceedings in H.M.O.P.No.148 of 2014, from the file of Sub Court, Kallakurichi, Villupuram District, to the file of Sub Court, Pollachi, for trial along with H.M.O.P.No.86 of 2014.

4. Heard the learned counsel for the petitioner and the learned counsel for the respondent.

5. The learned counsel for the parties jointly submitted that the parties have arrived at a consensus to transfer both the matters to a Court at Coimbatore.

6. Since the learned counsel for the petitioner and the respondent jointly submitted that it would be in the interest of both the parties to transfer the proceedings to a Court at Coimbatore, I am of the view that the Transfer Civil Miscellaneous Petition deserves to be allowed.

7. The proceedings H.M.O.P.No.148 of 2014 is withdrawn from the file of Sub Court, Kallakurichi, Villupuram District and is transferred to the file of Principal Family Court, Coimbatore.

8. Similarly, the proceedings H.M.O.P.No.86 of 2014 is withdrawn from the file of Sub Court, Pollachi, District and is transferred to the file of Principal Family Court, Coimbatore, for disposal along with H.M.O.P.No.148 of 2014.

9. Since identical issues are raised in both the matters, the Principal Family Court Judge, Coimbatore, is requested to take up both the matters together.

10. The Transfer Civil Miscellaneous Petition is allowed with the above observation. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-  
Asst.Registrar (CS III )

/true copy/

Sub Asst. Registrar

TK

To

1.The Sub Judge  
Kallakurichi.

2.The Sub Judge,  
Pollachi.

3.The Principal Judge,  
Family Court  
Coimbatore.

1 cc to M/a.A.S. Vijayaragavan, Advocate, sr. 59392

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kk 24/11