

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.06.2016

CORAM

THE HONOURABLE MR.JUSTICE C.T.SELVAM

Transfer Civil Miscellaneous Petition Nos.761 & 881 of 2015
and
M.P.Nos.1 & 1 of 2015

A.Victoriya
W/o.Tamilselvan

... Petitioner in Tr.C.M.P.No.761/15 &
Respondent in Tr.C.M.P.No.881/15

vs

Tamilselvan
S/o.Augusti

... Respondent in Tr.C.M.P.No.761/15
& Petitioner in Tr.C.M.P.No.881/15

Prayer:

Tr.C.M.P.No.761 of 2015:

Transfer Civil Miscellaneous Petition filed under Section 24 of the Civil Procedure Code, 1906, praying to withdraw O.P.No.4631 of 2014 on the file of I Additional Family Court, Chennai and transfer the same to the file of Principal District Judge, Thanjavur to try along with IDOP.83 of 2015 on the file of the Principal District Judge, Thanjavur.

Tr.C.M.P.No.881 of 2015:

Transfer Civil Miscellaneous Petition filed under Section 24 of the Civil Procedure Code, 1906, praying to withdraw I.D.O.P.No.83 of 2015 on the file of learned Principal District Judge, Thanjavur and transfer the same to the file of learned I Additional Family Judge, Chennai, to try along with O.P.No.4631 of 2014 pending on the file of learned II Additional Family Judge, Chennai.

Appearance:

For Petitioner in Tr.C.M.P.No.761/15 &
Respondent in Tr.C.M.P.No.881/15 :Ms.Rajeswari Karthick
for M/s.For & Fair Associates
For Respondent in Tr.C.M.P.No.761/15
& Petitioner in Tr.C.M.P.No.881/15 :No appearance
Mr.S.Madhusudanan

C O M M O N O R D E R

Wife has filed Tr.C.M.P.No.761 of 2015 seeking transfer of O.P.No.4631 of 2014 on the file of I Additional Family Court, Chennai, to the file of learned Principal District Judge, Thanjavur. Husband has filed Tr.C.M.P.No.881 of 2015 seeking transfer of I.D.O.P.No.83 of 2015 on the file of learned Principal District Judge, Thanjavur to the file of I Additional Family Court, Chennai.

2. Husband has filed O.P.No.4631 of 2014 on the file of I Additional Family Court, Chennai, seeking divorce and the wife has filed I.D.O.P.No.83 of 2015 on the file of learned Principal District Judge, Thanjavur, seeking restitution of conjugal rights.

3. Heard learned counsel for petitioner/wife. There is no representation for respondent/husband.

4. Learned counsel for petitioner/wife submits that the wife is residing at Thanjavur and she finds it difficult to travel to Chennai to attend each and every hearing of the case in O.P.No.4631 of 2014. That apart, the petition filed by the wife seeking restitution of conjugal rights is pending on the file of learned Principal District Judge, Thanjavur and hence, it would be desirable to have both the matters together.

5. Considering the submissions made, this Court directs transfer of O.P.No.4631 of 2014 on the file of I Additional Family Court, Chennai, to the file of learned Principal District Judge, Thanjavur, to be tried along with I.D.O.P.No.83 of 2015.

Tr.C.M.P.No.761 of 2015 is disposed of with the above direction. In view of the order passed in Tr.C.M.P.No.761 of 2015, the petition in Tr.C.M.P.No.881 of 2015 is dismissed. No costs. Consequently, the connected miscellaneous petitions are closed.

gm

-s/d-

Assistant Registrar(CS-II)

True Copy

Sub-Assistant Registrar

To

- 1.The I Additional Family Court, Chennai.
- 2.The Principal District Judge, Thanjavur.

+ 1 cc to M/s.For and Fair Associates, Advocate SR 35226
msm(co)

prk19/7 Transfer Civil Miscellaneous PetitionNos.761& 881 of 2015