

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.09.2016

CORAM:

THE HON'BLE MR.JUSTICE K.K.SASIDHARAN

Transfer C.M.P.No.789 of 2015

And

M.P.No. 1 of 2015

M.Kalaiselvi ... Petitioner/Respondent

Versus

R.Prabhu ... Respondent/Petitioner

This Petition filed under Section 24 of C.P.C. praying to withdraw H.M.O.P.No. 32 of 2015 on the file of Sub Court, Udumalpet and to transfer the same to the file of Family Court, Chennai.

For Petitioners: Mr.N.Manoharan
for Mr.D.Gopal

For Respondents: Mr.T.Chellapandian
for Mr.A.Praveen Kumar

O R D E R

The respondent in H.M.O.P.No. 32 of 2015 on the file of Sub Court, Udumalpet, is the petitioner in this Transfer Petition.

2. The respondent instituted proceedings in H.M.O.P.No. 32 of 2015 against the petitioner praying for a decree of divorce. The petitioner on appearance before the trial Court filed this petition for transfer.

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

4. The petitioner is stated to be a resident of Chennai. The respondent is a resident of Thiruppur. The respondent is working at Bangalore at present. The suit filed by the petitioner along with her minor child is pending before the First Additional District Court, Thiruppur. This Court transferred the suit to the file of District Court at Thiruppur by order in Tr.C.M.P.No. 200 of 2016. The suit is pending before the Court at Thiruppur.

5. When it was pointed out to the learned counsel for the petitioner that in view of the pendency of the suit before the District Court at Thiruppur, whether it would be feasible to transfer the matrimonial proceedings to a Court at Chennai, the learned counsel on instructions submitted that the petitioner would be satisfied in case the matrimonial proceedings is transferred to the Court of Principal Sub Court at Thiruppur.

6. The learned counsel for the respondent on instructions submitted that the respondent has no objection for transferring the matrimonial proceedings to a Court at Thiruppur.

7. In view of the consensus arrived at among the parties, the proceedings in H.M.O.P.No. 32 of 2015 is withdrawn from the file of Sub Court, Udumalpet and is transferred to the file of Principal Sub Court at Thiruppur.

8. The Transfer Civil Miscellaneous Petition is disposed of as indicated above. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

vsg

To

1. The Sub Judge, Udumalpet.

2. The Principal Sub Judge, Thiruppur.

+lcc to Mr.D. Gopal, Advocate, S.R.No.54753

+lcc to Mr.A. Praveenkumar, Advocate, S.R.No.54352

AK(CO)

EU(07/10/2016)

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