

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.09.2016

CORAM:

THE HONOURABLE MR. JUSTICE K.K.SASIDHARAN

Tr.CMP.No.872 of 2015
and MP.No.1 of 2015

Kamatchi .. Petitioner/Respondent

Vs.

Balaji ... Respondent/Petitioner

Prayer: Transfer Petition filed under Section 24 of Civil Procedure Code, praying to withdraw the petition in HMOP.No.163 of 2015 on the file of the Family Court at Pondicherry and transfer the same to the Sub Court, Cuddalore.

For Petitioner : Mr.P.Ragupathi
For Respondent : No Appearance

ORDER

The respondent filed a petition in HMOP.No.163 of 2015 before the Family Court, Puducherry against the petitioner, praying for a decree of divorce. The petitioner filed the transfer petition to withdraw the said proceedings and transfer it to a Court at Cuddalore.

2. 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.

3. The petitioner filed a divorce petition against the respondent in HMOP.No.209 of 2014 before the Sub Court at Cuddalore. During the currency of proceedings, the respondent filed HMOP.No.163 of 2015 before the Family Court, Puducherry for divorce.

4. The petitioner is a resident of Cuddalore. She has filed HMOP.No.209 of 2014 before the Sub Court, Cuddalore. The respondent filed the matrimonial proceedings for the very same relief.

5. In case two Courts are permitted to take up the matter, it would result in passing contradictory orders. Therefore, it would be in the interest of both the parties for taking up the matter by a particular Court.

6. The proceedings in HMOP.No.163 of 2015 is withdrawn from the file of Family Court, Puducherry and is transferred to the file of Sub Court, Cuddalore.

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

-s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

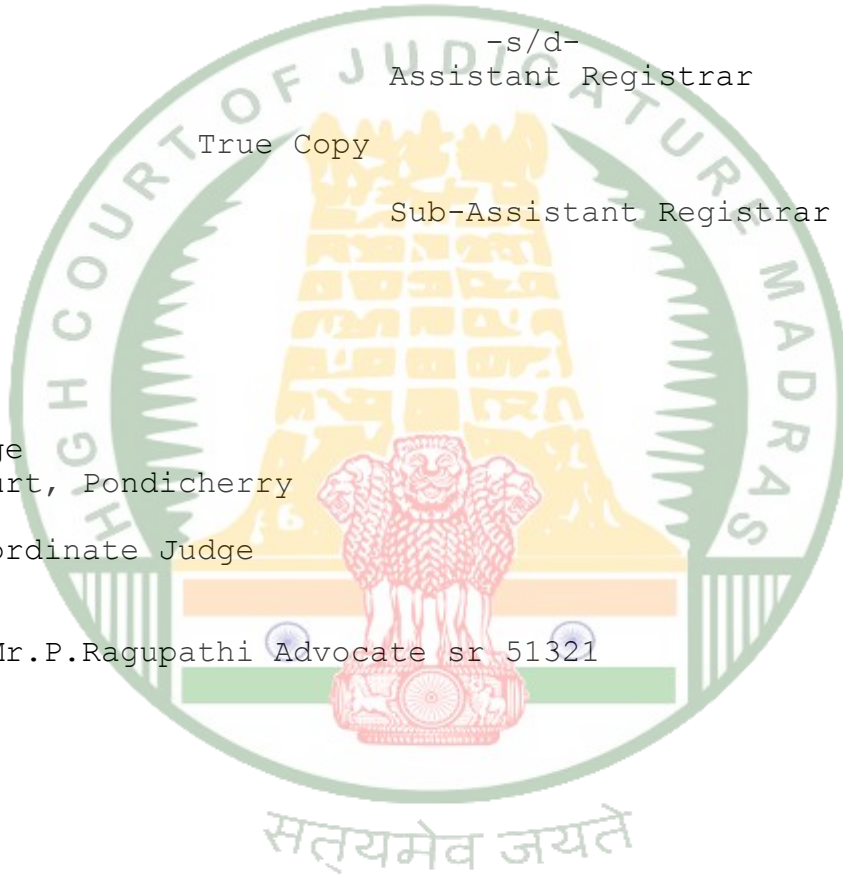
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To

1.The Judge
Family Court, Pondicherry

2.The Subordinate Judge
Cuddalore

+1 cc to Mr.P.Ragupathi Advocate sr 51321



Tr.CMP.No.872 of 2015

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