

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.07.2016

CORAM

THE HONOURABLE MR.JUSTICE C.T.SELVAM

Transfer Civil Miscellaneous Petition No.876 of 2015

and

M.P.No.1 of 2015

Dr.Subasankareswari, MBBS, ... Petitioner/Respondent

Vs.

Dr.A.Balamurugan ... Respondent/Petitioner

Transfer Civil Miscellaneous Petition filed under Section 24 of the Civil Procedure Code, 1906, praying to withdraw H.M.O.P.No.76 of 2015 pending on the file of learned Sub Court, Pattukottai District and to transfer the same to be tried along with O.P.No.4290 of 2015 pending on the file of II Additional Family Court, Chennai.

For Petitioner : Mr.R.Meenakshi

For Respondent : Mr.M.Swaminathan (N.A.)

O R D E R

Petitioner has filed the present petition seeking transfer of H.M.O.P.No.76 of 2015 pending on the file of learned Sub Court, Pattukottai District and to transfer the same to be tried along with O.P.No.4290 of 2015 pending on the file of II Additional Family Court, Chennai.

2. Learned counsel for petitioner submits that the petitioner/wife has filed F.C.O.P.No.4290 of 2015 on the file of learned Principal Judge, Family Court, Chennai, for restitution of conjugal rights and the respondent/husband has filed H.M.O.P.No.76 of 2015 seeking divorce. Learned counsel submits that it would be desirable to have both the matters tried together and prays of transfer.

3. Learned counsel for respondent has not raised any serious objection for the transfer of H.M.O.P.No.76 of 2015 to be tried along with O.P.No.4290 of 2015.

4. Considering the rival submissions made on either side, this Court is of the view that the petition is to be allowed. Accordingly, this Court directs transfer of H.M.O.P.No.76 of 2015 pending on the file of learned learned Sub Court, Pattukottai District and to transfer the same to the file of II Additional Family Court, Chennai.

The Transfer Civil Miscellaneous Petition, accordingly, is ordered. No costs. Consequently, connected miscellaneous petition is closed.

smi

Sd/-
Asst.Registrar

/true copy/

Sub Asst. Registrar

To

1.The Sub Court, Pattukottai District.

2.The II Additional Family Court, Chennai.

+ 1 CC to M/s.R.Meenakshi, Advocate SR NO 39295[4/8/16]

KR/2/8/16

Transfer Civil Miscellaneous
Petition No.876 of 2015

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