

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.06.2016

CORAM

THE HONOURABLE MR.JUSTICE C.T.SELVAM

Transfer Civil Miscellaneous Petition No.152 of 2016
and
C.M.P.No.3705 of 2016

R.Arunprakash
S/o.P.Rajan

... Petitioner

vs

S.Swappna Dhevi
W/o.R.Arunprakash

... Respondent

Transfer Civil Miscellaneous Petition filed under Section 24 of the Civil Procedure Code, 1906, praying to withdraw the petition in HMOP No.592 of 2016 pending on the file of III Additional Family Court, Chennai and to transfer the same to Principal Family Court, Chennai.

For Petitioner : Mr.S.Prasath

For Respondent : Mrs.Sudha Ramalingam

O R D E R

Petitioner has filed the present petition seeking transfer of H.M.O.P. No.592 of 2016 pending on the file of III Additional Family Court, Chennai to the file of Principal Family Court, Chennai.

2. Learned counsel for petitioner submits that petitioner and respondent are husband and wife. Differences arose between them. Respondent/wife has filed H.M.O.P.No.4231 of 2015 on the file of Principal Family Court, Chennai, seeking divorce and the petitioner/husband has filed H.M.O.P.No.592 of 2016 on the file of III Additional Family Court, Chennai, towards restitution of conjugal rights. Submitting that it would be desirable to have both the matters tried together, learned counsel prays for transfer of H.M.O.P.No.592 of 2016 pending on the file of III Additional Family Court, Chennai to the file of Principal Family Court, Chennai.

3. Learned counsel for respondent has no serious objection. Learned counsel, however, referring to the order of this Court passed in CrI.O.P.No.24636 of 2015 dated 28.10.2015, prays that the matter be disposed of expeditiously.

4. Considering the submissions made on either side as also taking note of the order passed by this Court in CrI.O.P.No.24636 of 2015 dated 28.10.2015, this Court directs transfer of H.M.O.P.No.592 of 2016 pending on the file of III Additional Family Court, Chennai to the file of Principal Family Court, Chennai. The Principal Judge, Family Court, Chennai, is directed to dispose of petitions as expeditiously as possible.

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

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

gm

To

1.The III Additional Family Court,
Chennai.

2.The Principal Family Court,
Chennai.

+1cc to Mr.S. Prasath & S.I. Muthiah, Advocate, S.R.No.31374
+1cc to M/s. Sudha Ramalingam, Advocate, S.R.No.31117

SKS (CO)
EU(21/06/2016)

Transfer Civil Miscellaneous Petition No.152 of 2016