

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.09.2016

CORAM

THE HONOURABLE MR.JUSTICE K.K.SASIDHARAN

Tr.C.M.P.No.210 of 2016

And

C.M.P.No.6004 of 2016

Mr.Sunil Kumar Rajaraman Petitioner
Vs.

Muthumari Thirupura Suindari Respondent

Prayer:

Petition filed under Section 24 of the Civil Procedure Code seeking to withdraw O.P.No.3782 of 2014 pending on the file of the Principal Family Court at Chennai and transfer the same to the II Additional Family Court at Chennai to be tried along with O.P.No.1717 of 2015 and M.C.No.361 of 2015.

For Petitioner : M/s.Geeta Ramaseshan

For Respondent : No Appearance

O R D E R

This transfer petition is to withdraw the proceedings in O.P.No.3782 of 2014 from the file of the Principal Family Court at Chennai and transfer the same to the II Additional Family Court at Chennai to be tried along with O.P.No.1717 of 2015 and M.C.No.361 of 2015.

2.Heard the learned counsel for the petitioner. None appears for the respondent in spite of printing her name in the cause list.

3.The respondent filed original petition in O.P.No.3782 of 2014 before the Principal Family Court at Chennai praying for a Decree directing restitution of conjugal rights. The petitioner filed M.C.No.1109 of 2014 before the Family Court at Bangalore. The said case was transferred to the II Additional Family Court at Chennai pursuant to the order passed by the Hon'ble Supreme Court of India on 09.03.2015 in Transfer Petition (Civil) No.1795 of 2014 and it was re-numbered as O.P.No.1717 of 2015. There is yet another proceedings pending between the parties in M.C.No.361 of 2015 on the file of the II Additional Family Court

at Chennai filed by the respondent herein. The present petition is to club all the matters together by transferring the matter pending before the Principal Family Court at Chennai to the file of the II Additional Family Court at Chennai.

4. There is no dispute that there are three proceedings pending before two Courts in Chennai. The original petition in O.P.No.3782 of 2014 is pending before the Principal Family Court at Chennai and the other two proceedings are pending before the II Additional Family Court at Chennai. The parties are the same in all the matters. It would be in the interest of both the parties to transfer all the matters to a particular Court for disposal on merits.

5. In the result, the proceedings in O.P.No.1717 of 2015 and M.C.No.361 of 2015 are withdrawn from the file of the II Additional Family Court at Chennai and is transferred to the file of the Principal Family Court at Chennai to be tried along with O.P.No.3782 of 2014.

6. The transfer petition is allowed as indicated above. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(J)

//True Copy//

Sub Assistant Registrar

To

1. The Judge,
The Principal Family Court,
Chennai.

2. The Judge,
The II Additional Family Court,
Chennai.

+1cc to Mrs.Geetha Ramaseshan, Advocate sr.51061

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srg 28/09/2016