IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.09.2016

CORAM:

THE HONOURABLE MR.JUSTICE K.K.SASIDHARAN

Transfer CMP No.219 of 2016
and CMP.No.6274 of 2016
& Tr.CMP.No. 464 of 2014 and
M.P.No.1 of 2014

Tr.CMP.No.219 of 2016 :

R.Monisha ...Petitioner

versus

K.Raju ...Respondent

Tr.CMP.No.464 of 2014 :

K.Raju ... Petitioner

versus

R.Monisha ... Respondent

PRAYER in Tr.C.M.P No.219 of 2016: Tr.CMP filed under section 24 of C.P.C., to withdraw the case in FCOP No.1136 of 2013 from the file of the Ist Additional Family Court, Chennai and to transfer the same to the Sub-Court, Mettur.

PRAYER in Tr.C.M.P No.464 of 2014: Tr.CMP filed under section 24 of C.P.C., to withdraw the case in HMOP No.1136 of 2012 from the file of the Ist Additional Family Court, Chennai and to transfer the same to the Family Court, Salem.

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For Petitioner in Tr.CMP.
No.219 of 2016 : Ms.S. T.P. Kuilmozhi
For respondent in Tr.CMP.
No.464 of 2014 : Mr.S.T.P.Kuilmozhi
for Mr.K. A. Mariappan

For Respondent in Tr.CMP.
No.219 of 2016 &
petitioner in Tr.CMP.
No.464 of 2014 : No Appearance

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C O M M O N O R D E R

The petitioner in FCOP.No.1136 of 2016 on the file of the 1st Additional Family Court, Chennai has filed Tr.CMP.No.219 of 2016 for withdrawal of the proceedings from the Family Court, Chennai and to transfer the same to the Sub Court, Mettur.

2. The respondent in FCOP.No.1136 of 2016 filed Tr.CMP.No.464 of 2014 with a prayer to withdraw the said proceedings and to transfer the same to the file of Family Court, Salem.

3. Heard the learned counsel for the petitioner in Tr.CMP.No.219 of 2016, who is the respondent in Tr.C.M.P.No.464 of 2014. None appears for the respondent who is the petitioner in Tr.CMP.No.464 of 2014.

4. The petitioner in Tr.CMP.No.219 of 2016 was residing earlier at Chennai. She filed a divorce petition against her husband before the Family Court at Chennai. Subsequently, she shifted her residence to the District of Salem. The wife, therefore, wanted the proceedings to be transferred to a competent Court at Mettur.

5. There is nothing on record to disbelieve the case pleaded by the petitioner in Tr.C.M.P.No.219 of 2016. I am, therefore, of the view that the matter requires transfer.

6. The proceedings in FCOP.No.1136 of 2016 is withdrawn from the file of the Ist Additional Family Court, Chennai and is transferred to the file of Sub Court, Mettur, for disposal on merits.

7. The Transfer CMPs. are disposed of as indicated above. No costs. Consequently, connected miscellaneous petitions are closed.

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Sd/-
Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

smi

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To

1.The Ist Additional Judge, Family Court, Chennai.

2.The Sub Judge, Mettur.

+ 1 cc to Mr.S.T.P. Kuilmozhi, Advocate SR.54332(12.1.17)

Transfer CMP No.219 of 2016
and CMP.No.6274 of 2016
& Tr.CMP.No. 464 of 2014 and
M.P.No.1 of 2014

GR(CO)
EU 28.11.16

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