

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.09.2016

CORAM

THE HONOURABLE MR.JUSTICE C.T.SELVAM

Transfer Civil Miscellaneous Petition No.485 of 2016
and
C.M.P.No.15239 of 2016

D.Amsa
D/o.Late Durai ... Petitioner

vs

A.Ramarajan
S/o.Annappan ... Respondent

Transfer Civil Miscellaneous Petition filed under Section 24 of the Civil Procedure Code, 1906, praying to withdraw H.M.O.P.No.40 of 2016 pending on the file of Sub Court, Cheyyar, and transfer the same to the file of II Additional Family Court, Chennai, to be heard and tried along with M.C.No.282 of 2016.

For Petitioner : Mr.S.V.Umasankar
For Respondent : No appearance

O R D E R

Even though the respondent has been served and the name of the respondent appears in the cause list, the respondent has not chosen to appear before this Court either in person or through a pleader. Hence, the matter is decided on merits.

2. Petitioner has filed the present petition seeking transfer of H.M.O.P.No.40 of 2016 on the file of Sub Court, Cheyyar, to the file of II Additional Family Court, Chennai, to be tried along with M.C.No.282 of 2016.

3. Learned counsel for petitioner submits that the respondent/husband has filed H.M.O.P.No.40 of 2016 on the file of Sub Court, Cheyyar, for restitution of conjugal rights and the petitioner/wife has filed M.C.No.282 of 2016 on the file of II Additional Family Court, Chennai, seeking Maintenance. The petitioner seeks transfer firstly on the ground that she finds it difficult to travel to Cheyyar for each and every hearing and secondly, since the petition filed by the petitioner seeking maintenance is pending on the file of II Additional Family Court, Chennai, it would be desirable to have both cases tried together.

4. Considering the submissions made, this Court directs transfer of H.M.O.P.No.40 of 2016 on the file of Sub Court, Cheyyar, to the file of II Additional Family Court, Chennai, to be jointly tried with M.C.No.282 of 2016.

The Transfer Civil Miscellaneous Petition is disposed of with the above direction. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

To

1.The Sub Court,
Cheyyar.

2.The II Additional Family Court,
Chennai.

+lcc to Mr.S.V.Umashankar, Advocate Sr.49938

Transfer Civil Miscellaneous
Petition No.485 of 2016

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srg 30/11/2016

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