

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.7.2016

CORAM

THE HONOURABLE MR.JUSTICE C.T.SELVAM

Transfer Civil Miscellaneous Petition No.374 of 2016 and
C.M.P.No.9963 of 2016

Sri Devi

W/o.Mr.Alagu Sankara Narayanan ... Petitioner/Respondent

vs

Mr.Alagu Sankara Narayanan

S/o. Alagu Subramanian ... Respondent/Petitioner

Transfer Civil Miscellaneous Petition filed under Section 24 of the Civil Procedure Code, 1906, praying to transfer HMOP.No.74 of 2016 on the file of Subordinate Court, Kovilpatti and file along with F.C.O.P.No.2124 of 2016 on the file of the Principal Family Court, Chennai.

For Petitioner : Mr.M.A.R.Pragash

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. 74 of 2016 on the file of Subordinate Court, Kovilpatti, to the file of Principal Family Court, Chennai to be tried jointly with F.C.O.P.No.2124 of 2016.

3. Learned counsel for petitioner submits that petitioner and respondent are wife and husband. Differences arose between them. Respondent/husband has filed H.M.O.P.No.74 of 2016 on the file of Subordinate Court, Kovilpatti seeking divorce and petitioner/wife has filed F.C.O.P.No.2124 of 2016 on the file of Principal 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.74 of 2016 pending on the file of Subordinate Court, Kovilpatti to the file of Principal Family Court, Chennai.

4. Considering the submissions made, this Court directs transfer of H.M.O.P.No.74 of 2016 from the file of Subordinate Court, Kovilpatti, to the file of Principal Family Court, Chennai to be tried jointly with F.C.O.P.No.2124 of 2016.

The Transfer Civil Miscellaneous Petition, accordingly, is ordered. No costs. Consequently, connected miscellaneous petition is closed.
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s/d-
Assistant Registrar(CS-VII)

True Copy

Sub-Assistant Registrar

To

1.The Principal Family Court,
Chennai.

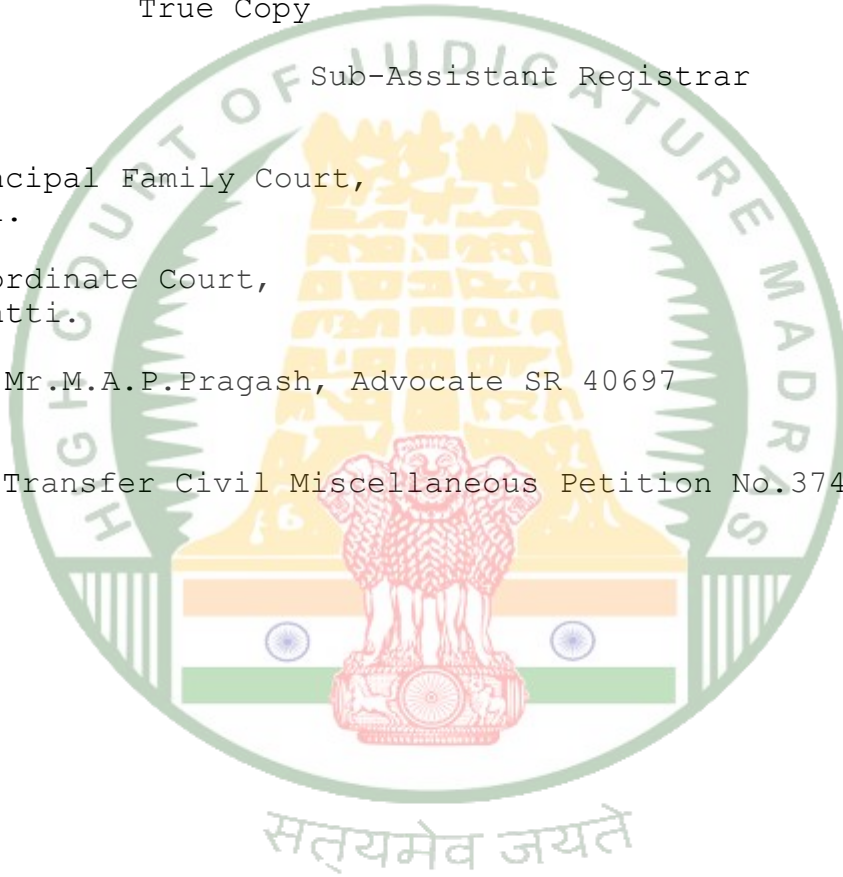
2.The Subordinate Court,
Kovilpatti.

+ 1 cc to Mr.M.A.P.Pragash, Advocate SR 40697

bvr(co)

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Transfer Civil Miscellaneous Petition No.374 of 2016



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