

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.07.2016

CORAM

THE HONOURABLE MR. JUSTICE C.T.SELVAM

Tr.C.M.P.Nos.375 and 376 of 2016

&

C.M.P.Nos.9991 and 9992 of 2016

K.Narendran ... Petitioner in both petitions/Respondent

vs.

P.Indira ... Respondent in both petitions/Petitioner

Transfer Civil Miscellaneous Petition filed under Section 24 of the Code of Civil Procedure to withdraw H.M.O.P.Nos.173/2014 and 41/2016 pending on the file of learned Subordinate Judge, Kanchipuram and transfer the same to the file of Subordinate Court, Tambaram.

For Petitioner : Mr.R.Sivaraman

For Respondent : No Appearance

C O M M O N O R D E R

These Transfer Civil Miscellaneous Petitions have been filed for withdrawal of H.M.O.P.Nos.173/2014 and 41/2016 pending on the file of learned Subordinate Judge, Kanchipuram and transfer the same to the file of Sub Court, Tambaram.

2. H.M.O.P.No.173/2014 on the file of Sub Judge, Kanchipuram, is an action moved by the respondent/wife seeking divorce. H.M.O.P.No.41/2016 on the file of sub Judge, Kanchipuram, has been moved by the petitioner/husband seeking restitution of conjugal rights. Though like the respondent/wife the petitioner has moved an action at Kanchipuram, he seeks transfer of both cases to Subordinate Court, Tambaram.

3. Learned counsel submits that while the petitioner is a resident in Chennai, the respondent/wife as informed in the HMOP moved by her she is residing at Perungalathur and the child has also started going to school at Perungalathur. Learned counsel submits that it would be convenient to both sides that the matter be transferred to the Subordinate Court at Tambaram.

4. Though the respondent stands served none appears on her behalf.

5. Considering the submissions made by the learned counsel for petitioner, this Court directs transfer of H.M.O.P.Nos.173/2014 and 41/2016 pending on the file of learned Subordinate Judge, Kanchipuram to the file of Sub Court, Tambaram, where both actions to be tried jointly.

6. The Transfer Civil Miscellaneous Petitions, accordingly, are ordered. Connected miscellaneous petitions are closed. No costs.

Sd/-
Asst.Registrar (CS IV)

/true copy/

Sub Asst. Registrar

To

1. The Subordinate Judge, Kanchipuram

2. The Sub Judge, Tambaram.

+1 cc to Mr.R.Sivaraman, advocate,sr.38334

sr(co)
krd 2/8

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सत्यमेव जयते

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