

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.07.2016

CORAM

THE HONOURABLE MR.JUSTICE C.T.SELVAM

Transfer Civil Miscellaneous Petition No.395 of 2016

and

C.M.P.No.10470 of 2016

Bhuvaneswari @ Lalitha
W/o.K.Sathyamoorthy Petitioner

vs

K.Sathyamoorthy
S/o.Kaliyaperumal Respondent

Transfer Civil Miscellaneous Petition filed under Section 24 of the Civil Procedure Code, 1906, praying to withdraw H.M.O.P.No.47 of 2014 on the file of Principal Subordinate Court, Chengalpet and transfer the same to the file of Principal Family Court, Chennai.

For Petitioner : Mr.J.James
For Respondent : Mr.P.Sathish Kumar
No appearance

O R D E R

Petitioner has filed the present petition seeking transfer of H.M.O.P.No.47 of 2014 on the file of Principal Subordinate Court, Chengalpet to the file of Principal Family Court, Chennai.

2. Heard learned counsel for petitioner. There is no appearance for respondent.

3. Learned counsel for petitioner/wife submits that the respondent/husband has filed H.M.O.P.No.47 of 2014 on the file of Principal Subordinate Court, Chengalpet, seeking divorce. Petitioner/wife has filed H.M.O.P.No.4199 of 2015 on the file of Principal Family Court, Chennai, seeking restitution of conjugal rights. Petitioner presently is residing at Chennai with her parents and pursuing her higher studies and hence, she finds it

difficult to travel to Chengalpet to attend the hearing. Further, since both parties have filed petitions it would be desirable to have both the matters together.

4. Considering the submissions made, this Court directs transfer of H.M.O.P.No.47 of 2014 on the file of Principal Subordinate Court, Chengalpet to the file of Principal Family Court, Chennai, to be jointly tried with H.M.O.P.No.4199 of 2015.

The Transfer Civil Miscellaneous Petition, accordingly, is ordered. No costs. Consequently, connected miscellaneous petition is closed.

-s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

gm

To

1.The Principal Subordinate Judge,
Chengalpet.

2.The Principal Judge,
Family Court,
Chennai.

+1 cc to Mr.P.Sathish kumar Advocate sr 42646

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