

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.08.2016

CORAM

THE HONOURABLE MR.JUSTICE C.T.SELVAM

Transfer Civil Miscellaneous Petition No.406 of 2016
and
C.M.P.No.10878 of 2016

P.Saranya Petitioner/Respondent

Vs.

J.Saravanan ... Respondent/Petitioner

Transfer Civil Miscellaneous Petition filed under Section 24 read with Section 151 of the Civil Procedure Code, 1908, praying to withdraw and to transfer the case pending on the file of Hon'ble III Additional Family Court, Chennai in O.P.No. 2122 of 2015 to the file of the Hon'ble Sub Court, Rasidpuram to be tried along with H.M.O.P.No. 51 of 2015.

For Petitioner : Mr.G.Arul Murugan

For Respondent : No appearance

ORDER

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 case pending on the file of Hon'ble III Additional Family Court, Chennai in O.P.No. 2122 of 2015 to the file of the Hon'ble Sub Court, Rasidpuram to be tried along with H.M.O.P.No. 51 of 2015.

3. Learned counsel for petitioner submits that the respondent/husband has filed O.P.No. 2122 of 2015 on the file of III Additional Family Court, Chennai, seeking divorce and the petitioner/wife has filed H.M.O.P.No.51 of 2015 on the file of

Sub Court, Rasipuram, for restitution of conjugal rights. The petitioner seeks transfer on the ground that she finds it difficult to travel from Ariya Goundampatti, Rasipuram Taluk in Namakkal District to Chennai for each and every hearing and hence, it would be desirable to have both cases tried together.

4. Considering the submissions made, this Court directs transfer of O.P.No. 2122 of 2015 on the file of III Additional Family Court, Chennai, to the file of Sub Court, Rasipuram, to be tried along with H.M.O.P.No.51 of 2015.

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

Sd/-
Assistant Registrar(J)

//True Copy//

Sub Assistant Registrar

vsg

To

1. III Additional Family Court, Chennai.

2. Sub Court, Rasipuram.

+1cc to M/S.G.Arul Murugan, Advocate Sr.43379

Transfer Civil Miscellaneous Petition No.406 of 2016

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srg 23/08/2016

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