

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.10.2016

CORAM:

THE HONOURABLE MR.JUSTICE K.K.SASIDHARAN

Transfer C.M.P.No.472 of 2016

R.Hemalatha

...Petitioner/Respondent

vs.

K.Karthick Kumar

...Respondent/Petitioner

Tr.C.M.P. filed under section 24 of C.P.C., to withdraw H.M.O.P.No.1345 of 2016 on the file of the III Additional Family Court, Chennai and to transfer the same to the Additional Family Court, Coimbatore.

For Petitioner : Ms.Babitha Sunil
For Respondent : No appearance

O R D E R

The petitioner instituted a proceedings in M.C.No.118 of 2015 before the Additional Family Court, Coimbatore against the respondent for maintenance.

2. The respondent appeared before the Family Court at Coimbatore. Thereafter, the respondent filed a proceedings for divorce in H.M.O.P.No.1345 of 2016 before the III Additional Family Court, Chennai. The petitioner has come up with this petition for transfer of proceedings from Chennai to Coimbatore.

3. Heard the learned counsel for the petitioner. None appears for the respondent in spite of his name printed in the cause list after service.

4. There are two proceedings now pending before two different Courts. The proceedings initiated by the petitioner for maintenance is pending on the file of Additional Family Court, Coimbatore. The proceedings initiated by the respondent for divorce is pending on the file of III Additional Family Court, Chennai.

5. In case, these two proceedings are taken up before two different Courts, there is a possibility of passing contrary orders in the very same subject matter. Therefore, I am of the view that the proceedings pending before III Additional Family Court, Chennai deserves to be transferred.

6. In the result, the proceedings in H.M.O.P.No.1345 of 2016 is withdrawn from the file of III Additional Family Court,

Chennai and is transferred to the file of Additional Family Court, Coimbatore for disposal along with M.C.No.118 of 2015.

7. The Transfer Civil Miscellaneous Petition is allowed as indicated above. No costs. Consequently, connected C.M.P.No.12924 of 2016 is closed.

-s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

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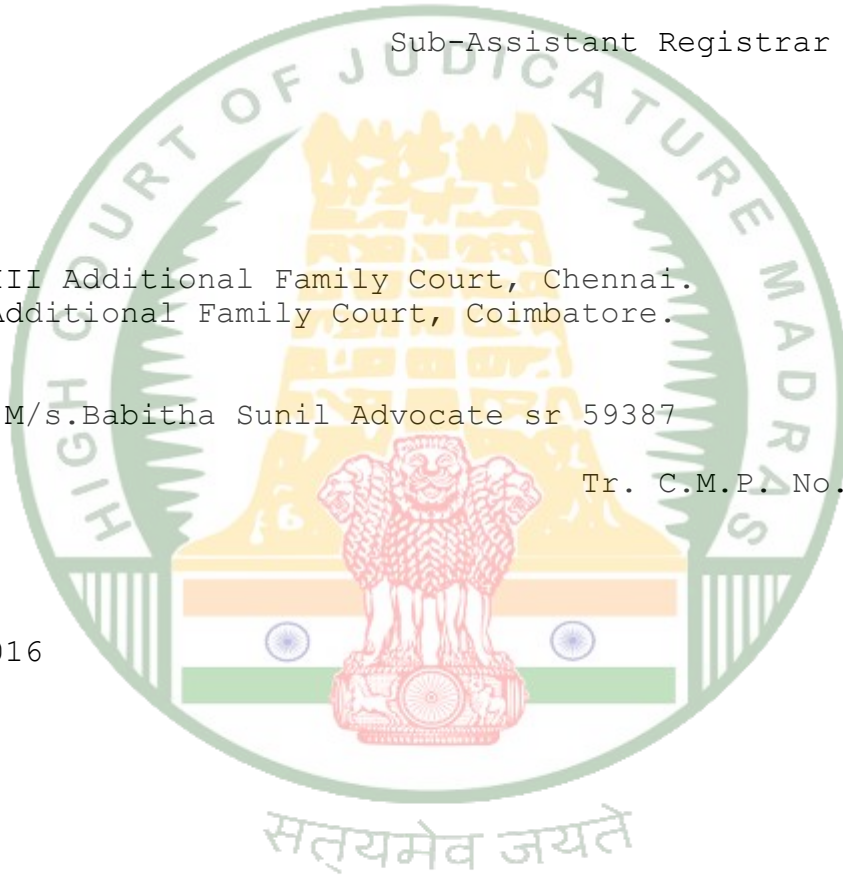
To :

1. The III Additional Family Court, Chennai.
2. The Additional Family Court, Coimbatore.

+2 ccs to M/s.Babitha Sunil Advocate sr 59387

Tr. C.M.P. No.472 of 2016

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