

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.08.2016

CORAM

THE HONOURABLE MR.JUSTICE C.T.SELVAM

Transfer Civil Miscellaneous Petition No.501 of 2016
and
C.M.P.Nos.13597 & 13598 of 2016

P.Sekar,
S/o.Perumal

...Petitioner

vs

C.Meena,
D/o.Sellappa

...Respondent

Transfer Civil Miscellaneous Petition filed under Section 24 of the Civil Procedure Code, 1906, praying to withdraw H.M.O.P.No.22 of 2016 on the file of the Subordinate Court, Mettur and transfer the same to the file of the Family Court, Salem, to try along with FCOP No.203 of 2016.

For Petitioner : Mr.R.Ezhilarasan

O R D E R

(*)

1. Petitioner has filed the present petition seeking transfer of H.M.O.P.No.22 of 2016 on the file of the Principal Subordinate Court, Mettur, to the file of the Family Court, Salem, to try alongwith FCOP No.203 of 2016.

2. Heard the learned counsel for petitioner.

3. Learned counsel for petitioner/husband submits that he has filed H.M.O.P.No.22 of 2016 on the file of the Principal Subordinate Court, Mettur, seeking divorce. Therefore, petitioner seeks transfer of HMOP No.22 of 2016 on the file of the Principal Subordinate Court, Mettur, to the file of the Family Court, Salem, since the respondent/wife has moved FCOP No.203 of 2016, in the said Court, seeking restitution of conjugal rights.

4. As it would be of mutual convenience and particularly to the respondent/wife, if proceedings are continued in the place of her choice and a joint trial is conducted. As it would be in the interests of justice, this Court without causing notice to the respondent, allows the present petition.

5. This Court directs transfer of H.M.O.P.No.22 of 2016 on the file of the Principal Subordinate Court, Mettur, to the file of the Family Court, Salem to be tried jointly with FCOP No.203 of 2016 on the file of such Court.

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

Sd/-
Asst.Registrar (CS II)
dt. 30.09.2016

(*)para 1 deleted vide order
in Tr.CMP No.501/16, and
CMP Nos.13597 & 13598/16
dated 22.11.2016

Sd/-
Asst.Registrar (CS II)
dt. 02.12.2016

/true copy/

Sub Asst. Registrar

dn

To

1. The Principal Subordinate Judge,
Mettur.

2. The Judge,
Family Court, Salem.

To be substituted to
the order already
despatched on
01.11.2016

1 CC to Mr.R.Ezhilarasan, Advocate, **SR. 67978***

Transfer Civil Miscellaneous Petition No.501 of 2016

MSM (CO)
PSI 06/10/2016
EU 02.12.2016