

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.10.2016

CORAM:

THE HONOURABLE MR.JUSTICE K.K.SASIDHARAN

Transfer CMP No.507 of 2016 and

CMP.No.13677 of 2016

H.S.Vaishnave

...Petitioner

versus

S.Ramesh

...Respondent

PRAYER: Tr.C.M.P. filed under section 24 of C.P.C., to withdraw HMOP No.120 of 2016 on the file of Sub-Court, Tambaram and the same may be transferred to Sub-Court, Krishnagiri.

For Petitioner : Mr.S.Agalya
For Respondent : Mr.C.R.Malarvannan

O R D E R

The respondent filed HMOP No.120 of 2016 before the Sub-Court at Tambaram, praying for a decree of divorce. The petitioner, on receipt of notice filed this transfer petition.

2. The learned counsel for the respondent fairly submitted that the respondent has no objection in allowing the transfer petition. The learned counsel further submitted that the respondent is not admitting any of the averments and allegations made in the petition and his consent should not be taken as an admission of facts in the transfer petition.

3. The petitioner is a permanent resident of Krishnagiri. The proceedings in HMOP No.120 of 2016 is pending before the Sub-Court at Tambaram. According to the petitioner, it would not be possible for her to appear before the Court at Tambaram for the purpose of defending the proceedings in HMOP No.120 of 2016.

4. Now that the respondent has also no objection in transferring the proceedings, the transfer petition deserves to be allowed. However, I make it clear that this order would not amount to admission of facts by the respondent, with respect to the grounds stated in the transfer petition.

5. The proceedings in H.M.O.P.No.120 of 2016 is withdrawn from the file of Sub-Court, Tambaram and is transferred to the file of Sub-Court, Krishnagiri for disposal

on merits

6. The Transfer Civil Miscellaneous Petition is allowed with the above observation. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Asst.Registrar (CS III)

/true copy/

Sub Asst. Registrar

To

1.The Sub Judge, Tambaram.

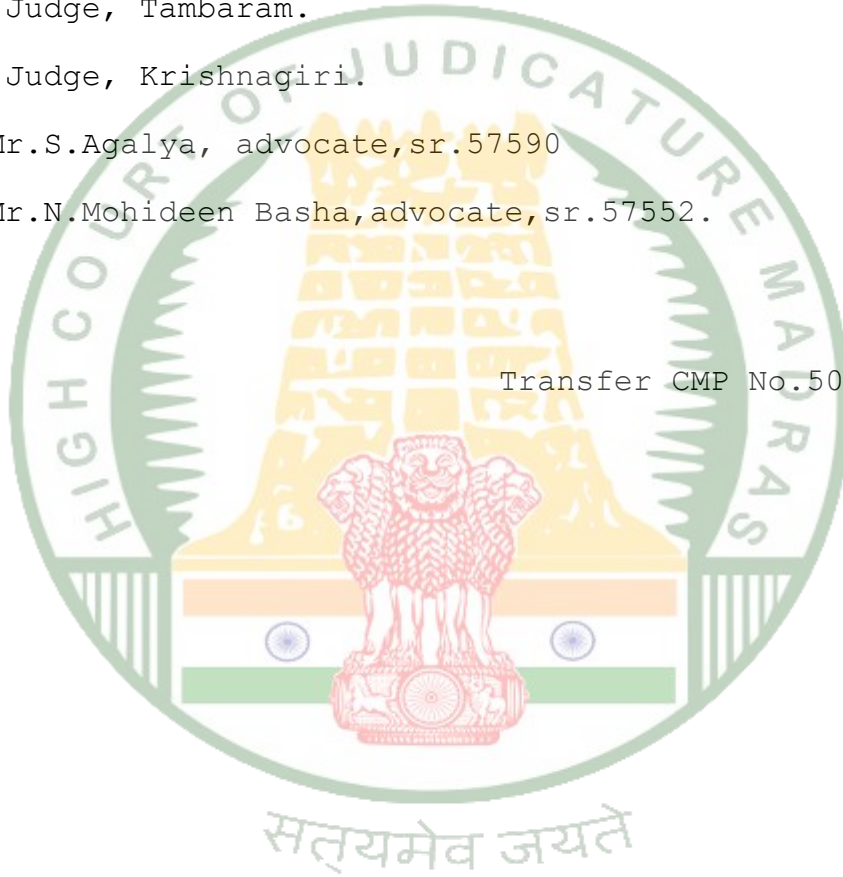
2.The Sub Judge, Krishnagiri.

+1 cc to Mr.S.Agalya, advocate,sr.57590

+1 cc to Mr.N.Mohideen Basha,advocate,sr.57552.

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Transfer CMP No.507 of 2016



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