

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.10.2016

CORAM:

THE HON'BLE MR.JUSTICE K.K.SASIDHARAN

Tr.C.M.P.No.570 of 2016

and C.M.P.No.15533 of 2016

R.Bhuvaneswari

... Petitioner

Versus

L.Rengaraj

... Respondent

Transfer Civil Miscellaneous Petition filed under Section 24 of C.P.C. praying to transfer H.M.O.P.No.125 of 2016 pending on the file of the Sub Court, Kovilpatti to the First Additional Family Court, Chennai, to be tried along with M.C.No.307 of 2016.

For Petitioner : M/s.K.Santhakumari

For Respondent : Ms.P.V.Preeja

ORDER

The respondent in H.M.O.P.No.125 of 2016 on the file of the Sub Court, Kovilpatti, is the petitioner in the Transfer Petition.

2. The respondent initiated proceedings in H.M.O.P.No.125 of 2016, praying for a decree of divorce. The petitioner on the other hand initiated proceedings in M.C.No.307 of 2016 for maintenance before the First Additional Family Court, Chennai.

3. The petitioner is a resident of Raja Annamalaipuram, Chennai. According to the petitioner, it would not be possible for her to appear before the Sub Court, Kovilpatti, for the purpose of defending the proceedings in H.M.O.P.No.125 of 2016.

4. The learned counsel for the respondent, on instructions, submitted that the respondent has no objection in transferring the proceedings from the file of Sub Court, Kovilpatti, to the file of Family Court, Chennai.

5. Since the respondent has no objection in transferring the original proceedings from the file of Sub Court, Kovilpatti, to the file of Family Court, Chennai and on account of pendency of the maintenance case in M.C.No.307 of 2016 on the file of the First Additional Family Court, Chennai, the Transfer Petition deserves to be allowed.

6. The proceedings in H.M.O.P.No.125 of 2016 is withdrawn from the file of Sub Court, Kovilpatti and is transferred to the file of First Additional Family Court, Chennai, for disposal along with M.C.No.307 of 2016.

7. The Transfer Civil Miscellaneous Petition is allowed as indicated above. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

To

1. The Sub Court,
Kovilpatti
2. The First Additional Family Court,
Chennai.

+1cc to M/S.K.Santhakumar, Advocate Sr.60411

Tr.C.M.P.No.570 of 2016

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srg 17/11/2016

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