

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.11.2016

CORAM

THE HONOURABLE MR. JUSTICE K.K.SASIDHARAN

Tr.C.M.P. No.579 of 2016
and
C.M.P.No.15863 of 2016

M.Sarhanya

... Petitioner/Respondent

vs.

R.Prabhu

... Respondent/Petitioner

Tr.C.M.P. filed under Section 24 of C.P.C. to withdraw HMOP No.641 of 2016 pending on the file of the Family Court at Madurai and transfer the same to the I Additional Family Court at Chennai, to be tried along with O.P.No.3494 of 2016 on the file of the I Additional Family Court at Chennai.

For petitioner : Mr.S.Anil Sandeep

For respondent : Mr.M.Kandasamy

O R D E R

The respondent initiated proceedings in HMOP No.641 of 2016 for divorce before the Family Court at Madurai. The petitioner filed OP No.3494 of 2016 before the First Additional Family Court at Chennai invoking 9 of the Hindu Marriage Act, 1955, for restitution of conjugal rights. The petitioner is before this Court with a request to transfer the matrimonial proceedings from Madurai to Chennai.

2. The learned counsel for the respondent fairly submitted that the respondent has no objection in transferring the matrimonial proceedings in HMOP No.641 of 2016 from the file of Family Court at Madurai to the file of First Additional Family Court at Chennai.

3. There are two proceedings pending before two different Courts. It would be in the interest of both parties in case one of the proceedings is transferred to the other Court

so as to enable the transferee Court to dispose of both the proceedings.

4. In view of the consent given by the respondent, the matrimonial proceedings HMOP No.641 of 2016 is withdrawn from the file of Family Court at Madurai and is transferred to the file of First Additional Family Court at Chennai.

5. The Transfer Petition is allowed as indicated above. Connected Miscellaneous Petition is closed. No costs.

-s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

asvm

Copy to:

1.The Judge,
Family Court, Madurai.

2.The Judge,
First Additional Family Court,
Chennai.

+1 cc to Mr.S.Anil Sandeep Advocate sr 70701

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