

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 26.02.2016

CORAM

THE HONOURABLE Mr. JUSTICE P.R.SHIVAKUMAR

Tr.C.M.P.No.93 of 2016
and C.M.P.No.2063 of 2016

Vidhubala

... Petitioner

Vs

S.Dhamodharan

... Respondent

Transfer Civil Miscellaneous Petition filed under Section 24 of C.P.C. to withdraw H.M.O.P.No.60 of 2015 on the file of Hon'ble Principal Subordinate Judge at Tiruvannamalai and transfer the same to the Family Court at Chennai.

For Petitioner : Mr.M.Nirmal Kumar
for M/s.For and Fair Associates

O R D E R

The only ground on which, the petition for transfer has been filed is that the Court in which the H.M.O.P. came to be filed does not have the jurisdiction to entertain the same. If it is so, the remedy available to the petitioner is to move the Court below under Order VII Rule 10 of C.P.C. to return the petition for re-presentation in proper Court. On the other hand, filing a transfer petition is not proper. Hence, the transfer Civil Miscellaneous Petition is dismissed. The petitioner can move a petition under Order VII Rule 10 of C.P.C. for the return of the petition for presentation in proper Court. No costs. Consequently, the connected Miscellaneous Petition is closed.

gya

-s/d-

Assistant Registrar (CS-IV)

True Copy

Sub-Assistant Registrar

To

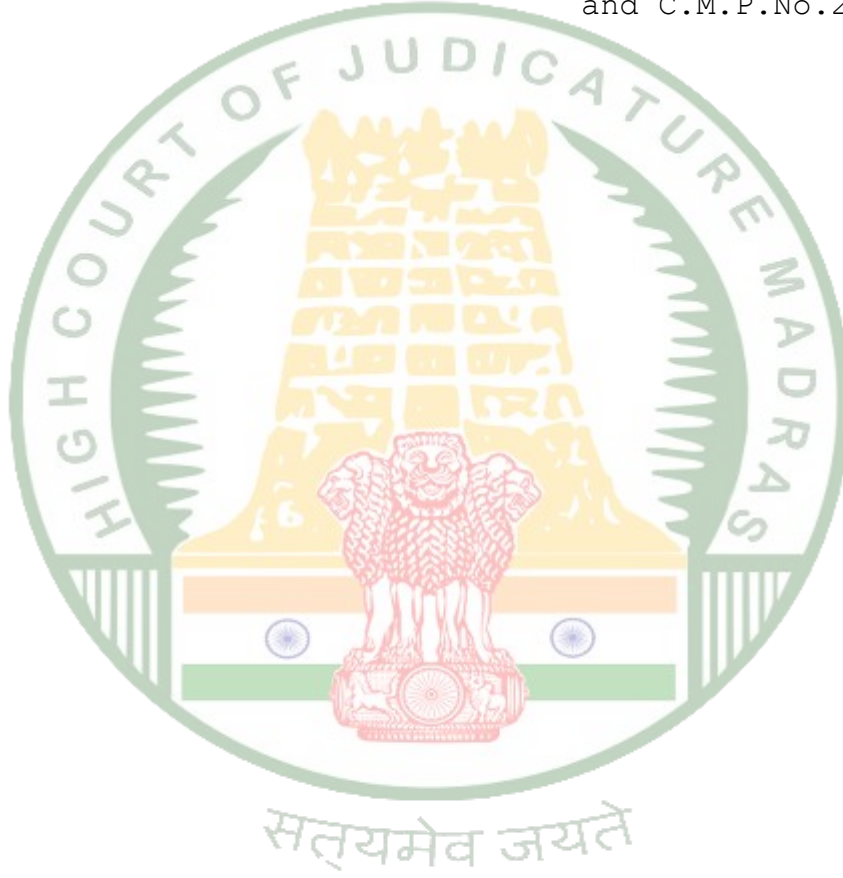
1. The Principal Sub Judge,
Tiruvannamalai.

2. The Judge, Family Court,
Chennai.

+ 1 cc to M/s.For and Fair Associates, Advocate SR 12494

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