

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09-06-2017

CORAM :

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

Tr.C.M.P.No.26 of 2017
and
C.M.P.No.670 of 2017

R.Atchaya

...

Petitioner

Vs.

S.Karthikeyan

...

Respondent

Petition filed under Section 24 of the Civil Procedure Code, to withdraw the case HMOP No.46 of 2016 on the file of Sub Court, Perundurai and to transfer the same to Family Court, Erode to be heard alongwith F.C.O.P. No.292 of 2016 pending on its file on the file of Family Court, Erode.

For Petitioner : Mr.S.Kaithamalai Kumaran

O R D E R

This transfer petition is filed to withdraw the case in H.M.O.P No.46 of 2016 on the file of Sub Court, Perundurai and to transfer the same to Family Court, Erode to be heard alongwith F.C.O.P. No.292 of 2016 pending on the file of Family Court, Erode.

2. Though this transfer petition is filed by the petitioner/wife to transfer the HMOP No.46 of 2016 filed by the respondent/husband on the file of Sub Court, Perundurai to Family Court, Erode to be heard alongwith F.C.O.P. No.292 of 2016, when the matter is taken up for hearing, the learned counsel for the petitioner submitted that the petitioner has no objection to transfer FCOP No.292 of 2016 filed by her before Family Court, Erode to Sub Court, Perundurai, to be tried alongwith HMOP No.46 of 2016 filed by the respondent/husband. He has also made an endorsement to that effect.

3. Recording the no objection given by the learned counsel for the petitioner / wife, without deciding the issue on merits, the petition in F.C.O.P.No.292 of 2016 is ordered to be withdrawn from the file of Family Court, Erode and transferred

to the file of the Sub Court, Perundurai and to be tried along with H.M.O.P.No.46 of 2016, pending on its file. The Presiding Officer, Family Court, Erode is directed to transmit all the records pertaining to F.C.O.P.No.292 of 2016 to the file of the Sub Court, Perundurai, within a period of two weeks from the date of receipt of a copy of this order. On receipt of the records, the Presiding Officer, Sub Court, Perundurai, is directed to dispose of both FCOP No.2926 of 2016 & HMOP No.46 of 2016, as expeditiously as possible, in any event, not later than 30th September 2017.

4. Accordingly, this Transfer Civil Miscellaneous petition is ordered. No costs. Consequently, connected Miscellaneous Petition is closed.

-s/d-

Assistant Registrar(J)

True Copy

Sub-Assistant Registrar

rgr

To

1.The Judge/Family Court,
Erode.

2.The Subordinate Judge,
Perundurai.

+1 CC to Mr.A.K. Kumarasamy, Advocate sr 41085

सत्यमेव जयते

Tr.C.M.P.No.26 of 2017

MP(CO)
sp/23/6

WEB COPY