

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.10.2017

CORAM :

THE HONOURABLE Mrs. JUSTICE PUSHPA SATHYANARAYANA

Tr.C.M.P. No.689 of 2017

and C.M.P.No.13724 of 2017

J. Deepika

... Petitioner

Vs.

E.J. Harendranath

... Respondent

Prayer:- Petition has been filed under Section 24 of C.P.C., to withdraw the H.M.O.P.No.131 of 2015 pending on the file of the Sub Court, Tambaram and transfer to any Family Court, Chennai.

For Petitioner : Ms.S.P.Arthi

For Respondent : Mr.V.Vasudevan

O R D E R

The wife in a matrimonial proceedings has filed the above transfer Civil Miscellaneous Petition seeking to withdraw H.M.O.P.No.131 of 2015 pending on the file of Sub Court, Tambaram and transfer the same to any Family Court, Chennai. The husband has filed the above H.M.O.P.No.131 of 2015 under Section 13(1)(ia) of Hindu Marriage Act, before the Sub Court, Tambaram for divorce on the ground of cruelty.

2. It is stated that, there was an earlier direction by this Court for disposing of H.M.O.P.No.131 of 2015 on or before 31.08.2017. However, due to certain circumstances, as alleged in the affidavit, it could not be completed. Now, wife is seeking transfer of H.M.O.P.No.131 of 2015, when the trial is in the mid way.

3. However, the learned counsel appearing on behalf of the respondent/husband has got no serious objection for the transfer of H.M.O.P.No.131 of 2015 from the file of Sub Court, Tambaram to any of the Family Courts in Chennai. Without going into the

merits of the case, considering the consent given by the learned counsel for the respondent, this Court is inclined to transfer H.M.O.P.No.131 of 2015 pending on the file of Sub Court, Tambaram to any of the Family Courts in Chennai.

4. Accordingly, the Transfer Civil Miscellaneous Petition is allowed by withdrawing the H.M.O.P.No.131 of 2015 from the file of Sub Court, Tambaram and transferring the same to any of the Family Courts in Chennai. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar (CS-V)

//True Copy//

Sub Assistant Registrar

rsi

To

1. The Sub Judge,
Tambaram.
2. The Judge,
Family Court, Chennai.

+1cc to Ms.S.P.Arthi Advocate, S.R.No. 74314

+1cc to Mr.R.S.Raghavan Advocate, S.R.No. 73888

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TR(21/11/2017)

सत्यमेव जयते

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