

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.11.2017

CORAM

THE HONOURABLE Mrs. JUSTICE PUSHPA SATHYANARAYANA

Tr.C.M.P.Nos.828 and 678 of 2017
and
C.M.P.No.17169 of 2017

R.Bhuvaneswari	...	Petitioner in Tr.C.M.P.No. 828 of 2017
R.Poornesh	...	Petitioner in Tr.C.M.P.No. 678 of 2017
Versus		
R.Poornesh	...	Respondent in Tr.C.M.P.No. 828 of 2017
R.Bhuvaneshwari	...	Respondent in Tr.C.M.P.No. 678 of 2017

Prayer in Tr.C.M.P.No.828 of 2017: Petition filed under Section 24 of the Civil Procedure Code praying to withdraw and transfer H.M.O.P.75 of 2016, pending on the file of Hon'ble Subordinate Court, Dharapuram and transfer the same to the file of Family Court, Villupuram to be tried along with HMOP No.63 of 2016.

Prayer in Tr.C.M.P.No.678 of 2017: Petition filed under Section 24 of the Civil Procedure Code praying to withdraw and transfer H.M.O.P.63 of 2016 from the file of Family Court, Villupuram and transfer the same to the file of Subordinate Court, Dharapuram to be tried along with H.M.O.P.No.75 of 2016.

For Petitioner

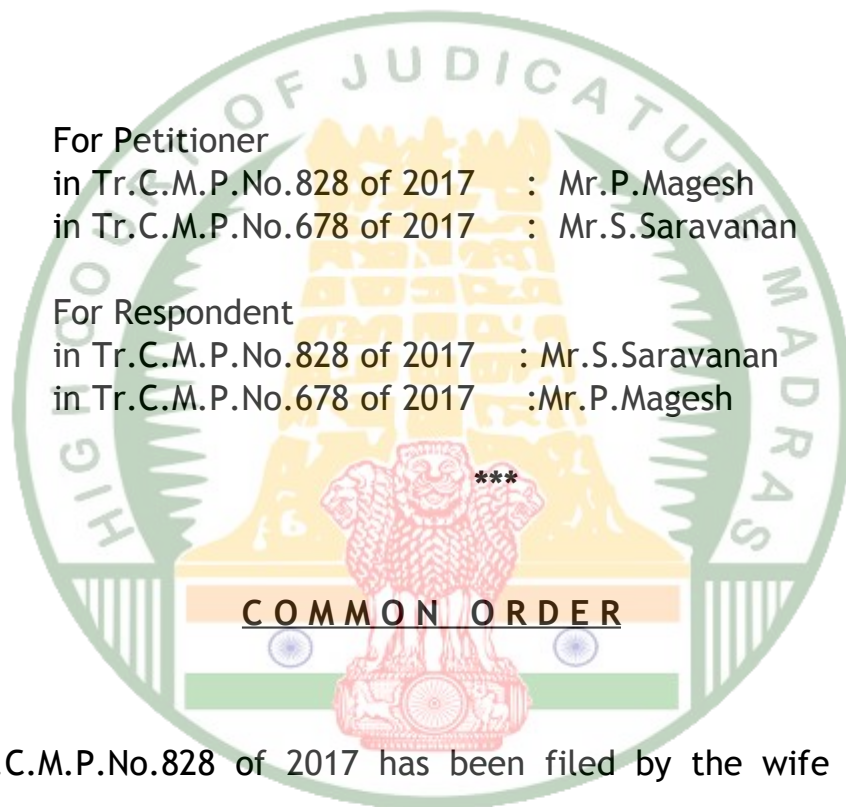
in Tr.C.M.P.No.828 of 2017 : Mr.P.Magesh

in Tr.C.M.P.No.678 of 2017 : Mr.S.Saravanan

For Respondent

in Tr.C.M.P.No.828 of 2017 : Mr.S.Saravanan

in Tr.C.M.P.No.678 of 2017 : Mr.P.Magesh



Tr.C.M.P.No.828 of 2017 has been filed by the wife seeking to withdraw H.M.O.P.75 of 2016, pending on the file of Hon'ble Subordinate Court, Dharapuram and transfer the same to the file of Family Court, Villupuram to be tried along with HMOP No.63 of 2016.

2. Tr.C.M.P.No.678 of 2016 has been filed by the husband to withdraw H.M.O.P.63 of 2016 from the file of Family Court, Villupuram

and transfer the same to the file of Subordinate Court, Dharapuram to be tried along with H.M.O.P.No.75 of 2016.

3. Heard both sides.

4. In the affidavits filed in support of these petitions, it is stated that the marriage between the petitioner and respondent was solemnized on 07.07.2014. The husband filed the H.M.O.P.No.75 of 2016, before the Subordinate Court, Dharapuram seeking restitution of conjugal rights and the wife filed H.M.O.P.No.63 of 2016, before the Family Court, Villupuram seeking divorce. The wife states that the husband is harassing her whenever she goes to Dharapuram to attend the hearings before the Subordinate Court, Dharapuram and therefore seeks of transfer of the H.M.O.P.No.75 of 2015, filed by the husband from the file of Subordinate Court, Dharapuram to Family Court, Villupuram. The husband states that the wife is residing in Chennai and also in order to avoid conflicting Judgments, he prays for transfer of the H.M.O.P.No.63 of 2016, filed by the wife from the file the Family Court, Villupuram to Subordinate Court, Dharapuram to try along H.M.O.P. filed by him for

restitution of conjugal rights.

5. After arguing for some time, the learned counsel appearing on either side has submitted that both the matters may be transferred to any place which is convenient to both the parties.

6. Considering the submissions made by the learned counsel appearing on either side and taking into note of the convenience of both the parties, this Court deem it fit to transfer both the O.P.'s to the Subordinate Court, Tiruvannamalai.

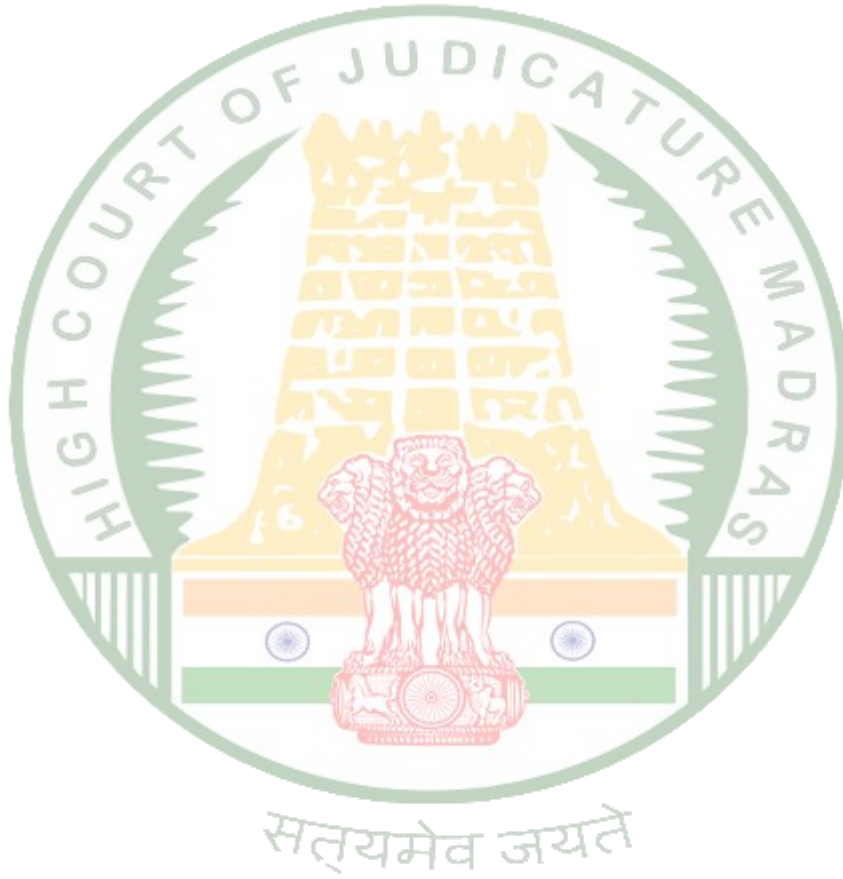
7. Accordingly, these petitions are disposed of and the proceedings in H.M.O.P.Nos.75 of 2016, pending on the file of Subordinate Court, Dharapuram and H.M.O.P.No.63 of 2016, pending on the file of Family Court, Villupuram are withdrawn and transferred to the file of Subordinate Court, Tiruvannamalai. No costs. Consequently, connected Miscellaneous Petition is closed.

30.11.2017

arr

To

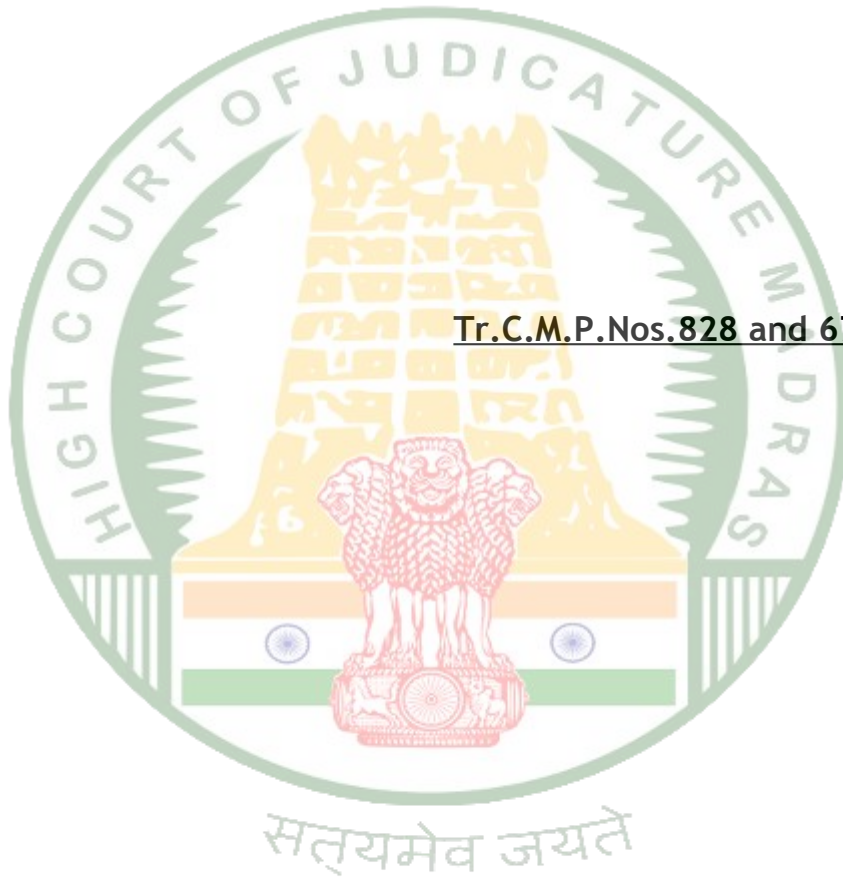
1. The Family Court, Villupuram.
2. The Subordinate Court, Dharapuram
3. The Subordinate Court, Tiruvannamalai



WEB COPY

PUSHPA SATHYANARAYANA, J

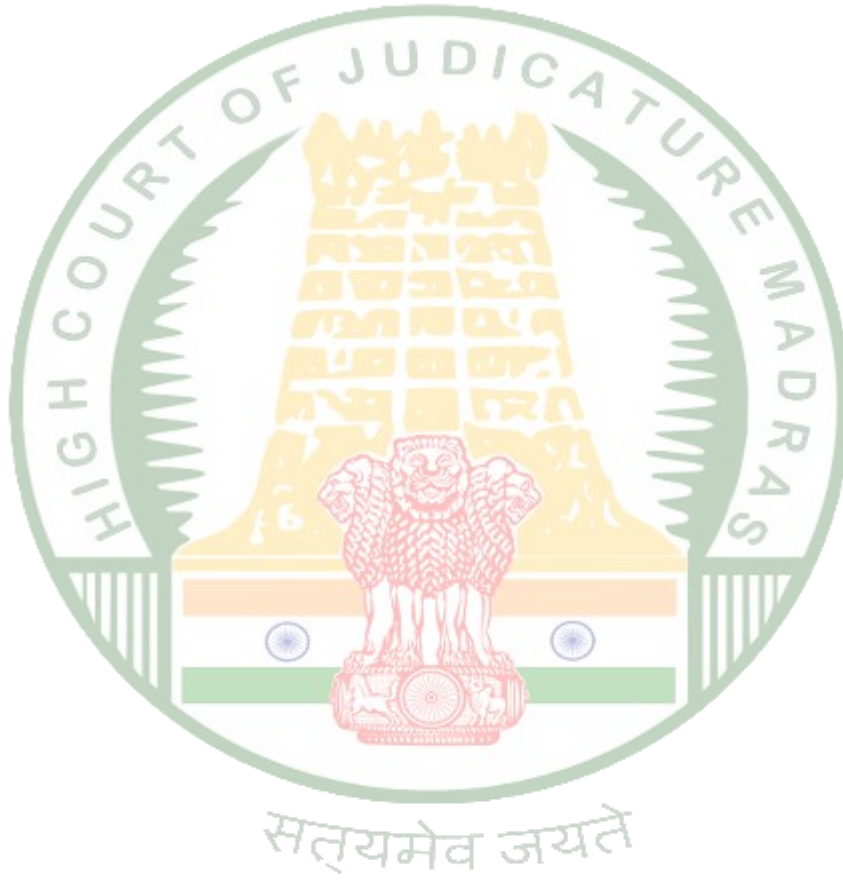
arr



Tr.C.M.P.Nos.828 and 678 of 2017

WEB COPY

30.11.2017



WEB COPY