

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.531 of 2015
and M.P.No.1 of 2015

P.Kalpana ... Petitioner/Respondent

Vs.

T.Muthukumar ... Respondent/petitioner

Prayer:- Petition has been filed under Section 24 of C.P.C., to withdraw H.M.O.P.No.99 of 2015 from the file of the II Additional Sub-Court, Coimbatore and transfer to the file of the Family Court, Trichy and to be tried along with H.M.O.P.No.212 of 2015.

For Petitioner : Mr.B.Kumarasamy
For Respondent : Mr.I.Abrar Md.Abdullah

O R D E R

The petition is filed to withdraw H.M.O.P.No.99 of 2015 from the file of the II Additional Sub-Court, Coimbatore and transfer to the file of the Family Court, Trichy and to be tried along with H.M.O.P.No.212 of 2015.

2. The petitioner is the wife and respondent is the husband. The marriage between the petitioner and respondent was conducted on 26.06.2014 as per Hindu rites and customs and in the wed lock, a male child was born. Due to difference of opinion, the petitioner and respondent are living separately. Therefore, she filed H.M.O.P.No.212 of 2015 on the file of the Family Court, Trichy, to return back the sridhana articles. The respondent filed H.M.O.P.No.99 of 2015 on the file of the II Additional Sub-Court, Coimbatore, for divorce.

3. According to the petitioner, herself and her minor son are residing at her parental home in Trichy. The distance between Trichy and Coimbatore is more than 250 kilometers. Therefore, it is very difficult for her to travel from Trichy to attend the hearing at Coimbatore.

4. When this petition is taken up for hearing, the learned counsel for the petitioner and respondent have made endorsement stating that both the petitioner and respondent have no objection to transfer the H.M.O.P.No.99 of 2015 to the

file of the Sub-Court, Kulithalai.

5. Recording the endorsement made by both the learned counsel for the petitioner and respondent, without deciding the issue on merits, the petition in H.M.O.P.No.99 of 2015 is ordered to be withdrawn from the file of the II Additional Sub-Court, Coimbatore and the petition in H.M.O.P.No.212 of 2015 is ordered to be withdrawn from the file of the Family Court, Trichy and transferred to the file of the Sub-Court, Kulithalai and to be tried together. The learned II Additional Sub Judge, Coimbatore and the Family Court, Trichy, are directed to transmit all the records pertaining to H.M.O.P.No.99 of 2015 and H.M.O.P.No.212 of 2015 respectively, to the file of the Sub-Court, Kulithalai, within a period of two weeks from the date of receipt of a copy of this order.

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

-s/d-
Assistant Registrar (CS-III)

True Copy

Sub-Assistant Registrar

To

1. The II Additional Subordinate Judge
Coimbatore.
2. The Subordinate Judge, Kulithalai.
3. The Judge Family Court, Trichy.

+2 Ccs to Mr.B. Kumarasamy, Advocate sr 41538 & 41050

Tr.C.M.P. No.531 of 2015
and M.P.No.1 of 2015

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