

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.01.2017

CORAM:

THE HONOURABLE MRS.JUSTICE PUSHPA SATHYANARAYANA

Tr.C.M.P.No.662 of 2016

M.Suryakala

.. Petitioner

Vs.

R.Maheswaran

... Respondent

Transfer Civil Miscellaneous Petition filed under Section 24 of the Civil Procedure Code praying to withdraw all the proceedings in H.M.O.P.No.229 of 2016 from the Sub-Court, Tirupur and transfer the same and try the same along with H.M.O.P.No.3736 of 2016 pending on the file of III Additional Family Court, Chennai.

For petitioner : Mr.N.Srinivasan

For respondent : Mr.P.Arunkumar

ORDER

The petitioner-wife has filed this Tr.C.M.P. for transfer of H.M.O.P.No.229 of 2016 from the Sub-Court, Tirupur, which was filed for divorce by the respondent-husband, to the III Additional Family Court, Chennai, where H.M.O.P.No.3736 of 2016 filed by the wife for restitution of conjugal rights, is pending.

2. It is stated that the petitioner is staying with her old age parents and find it difficult to travel from Chennai to Tirupur, whereas the respondent-husband is a businessman travelling to Chennai often and it would not be difficult for him to appear in Chennai Court.

3. Though this petition is resisted by the respondent by filing counter affidavit by stating that it is only to harass him and that there is threat to his life. There is nothing more stated in the counter affidavit or any document is produced in support of the same.

4. Considering the convenience of the wife, who has also filed petition in Chennai for restitution of conjugal rights, H.M.O.P.No.229 of 2016 pending on the file of the Sub-Court, Tiurpur, is directed to be transferred to the file of the III Additional Family Court, Chennai, to be tried along with H.M.O.P.No.3736 of 2016. This Tr.C.M.P. is allowed.

Sd/-
Asst.Registrar (CS V)

/true copy/

Sub Asst. Registrar

cs

Copy to

1. The Sub-Judge, Tirupur.
 2. The III Additional Judge, Family Court, Chennai.
- +1cc to Mr.N.Srinivasan, Advocate SR.No.2401.

Tr.C.M.P.No.662 of 2016

सत्यमेव जयते

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