

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:23.01.2017

CORAM:

THE HONOURABLE MRS. JUSTICE PUSHPA SATHYANARAYANA

Tr.C.M.P.No.711 of 2016
and C.M.P.No.18353 of 2016

S.Maheswari .. Petitioner

Vs.

D.Kamala Kannan .. Respondent

Petition filed under order I Rule(1)(b) of A.S.Rules Read with Section 24 of the Civil Procedure Code praying to withdraw H.M.O.P.No.46 of 2014 pending on the file of the Subordinate Court, Kancheepuram and transfer the same to Subordinate Court, Tambaram to be heard along with H.M.O.P.No.457 of 2016 pending on the file of Subordinate Court, Tambaram.

For Petitioner : Mr.M.Udayaraj
For Respondent : Mr.K.Ramamoorthy

O R D E R

The petitioner/wife has filed the above Transfer Civil Miscellaneous Petition to withdraw H.M.O.P.No.46 of 2014 pending on the file of the Subordinate Court, Kancheepuram and transfer the same to the Subordinate Court, Tambaram, to be tried along with H.M.O.P.No.457 of 2016.

2. H.M.O.P.No.46 of 2014 is filed by the respondent-husband for dissolution of marriage held between the petitioner and the respondent on 18.01.2013. The petitioner-wife also filed H.M.O.P.No.457 of 2016 on the file of the Subordinate Court, Tambaram for restitution of conjugal rights.

3. It is stated by the petitioner that she is living with her parents at Perungudi without any financial support. It is also further stated that she is having a two year old female child and it is very difficult for her to travel from Perungudi to Kancheepuram, along with the child to attend the hearings. Hence, she seeks transfer of H.M.O.P.No.46 of 2014 from Kancheepuram to Tambaram.

4. Learned counsel appearing for the respondent / husband has got no serious objection for transferring the petition.

5. Accordingly, the Transfer Civil Miscellaneous Petition is allowed and H.M.O.P.No.46 of 2014 pending on the file of the Subordinate Court, Kancheepuram is withdrawn and transferred to the Subordinate Court, Tambaram to be tried along with H.M.O.P.No.457 of 2016 pending on the file of the Subordinate Court, Tambaram. The Subordinate Judge, Tambaram is directed to dispose of both H.M.O.Ps as expeditiously as possible. No costs. Consequently, connected miscellaneous petition is closed.

s/d-
Assistant Registrar (CS V)

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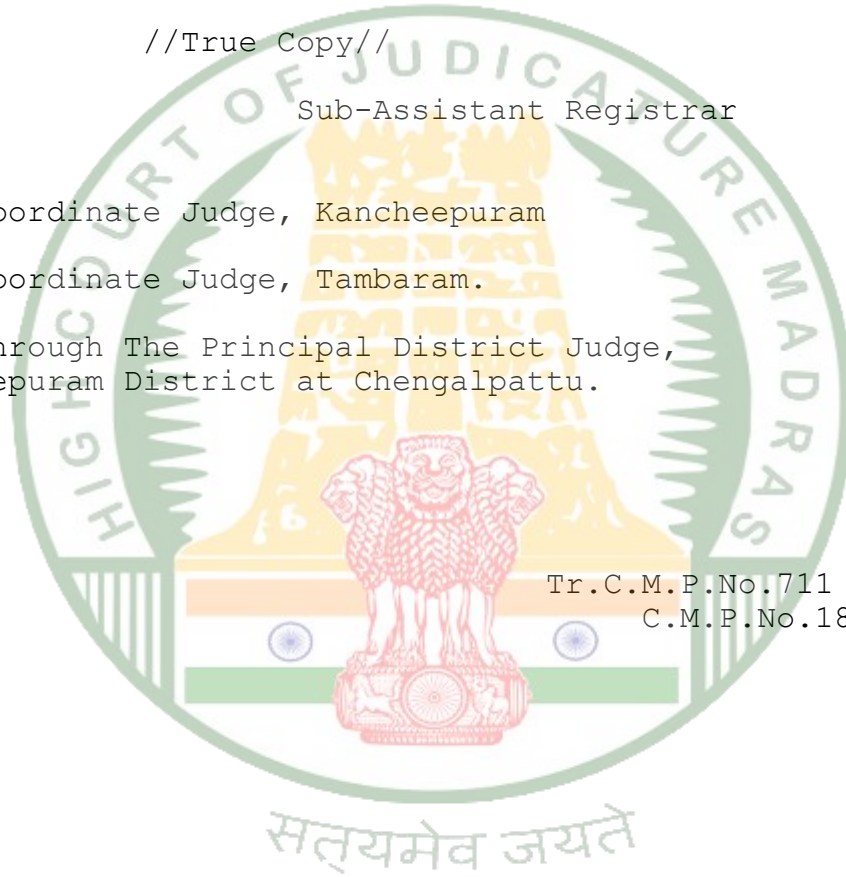
Sub-Assistant Registrar

To

1. The Subordinate Judge, Kancheepuram
2. The Subordinate Judge, Tambaram.
3. -do- Through The Principal District Judge,
Kancheepuram District at Chengalpattu.

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C.M.P.No.18353 of 2016

GR (CO)
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