

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:28.07.2017

CORAM:

THE HONOURABLE MR.JUSTICE M.GOVINDARAJ

TR CMP NO.725 of 2016
AND CMP NO.18822 of 2016

M.H.Abusama Bevi @ Sabina

... Petitioner

versus

Mohamed Shaliq

... Respondent

PRAYER: Petition filed under Section 24 of the Code of Civil Procedure to withdraw the suit in O.S.No.3 of 2016 on the file of Family Court, Thiruvallur and to transfer the same to the Family Court, Salem to be tried along with pauper in O.P.No. 5 of 2015.

For Petitioner : No appearance

For Respondent : Mr.M.M.Javadh

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ORDER

The petitioner has filed this transfer petition with a prayer to withdraw the suit in O.S.No.3 of 2016 from the file of Family Court, Thiruvallur and transfer the same to the file of Family Court, Salem, to

be tried along with Pauper O.P.No.5 of 2015.

2. Heard the learned counsel for the petitioner and the learned counsel appearing on behalf of the respondent.

3. The petitioner / wife has filed a petition seeking maintenance before the Family Court, Salem in O.P.No.5 of 2015. The respondent / husband has filed a suit in O.S.No.3 of 2016 on the file of Family Court, Thiruvallur, for restitution of conjugal rights.

4. It is submitted that the matter was referred for mediation and before the mediation centre, the parties have arrived at an amicable settlement and accordingly, they agreed for the matters to be transferred to Family Court, Chengalpet.

5. The present Transfer Civil Miscellaneous Petition is filed for transferring the suit in O.S.No.3 of 2016 to Family Court, Salem. However, in view of the mediation agreement reached between the parties, this Court is inclined to transfer the matters to Family Court, Chengalpet.

6. Accordingly, O.S.No.3 of 2016 as well as O.P.No.5 of

2015 are withdrawn from the respective Courts and are transferred to the Family Court, Chengalpet. The Family Court, Chengalpet, is directed to renumber the cases and proceed in accordance in law, as expeditiously as possible. The Family Court, Thiruvallur and the Family Court, Salem are directed to transfer the concerned files to the Family Court, Chengalpet, forthwith.

7. The Transfer Civil Miscellaneous Petition is disposed of with the above observation and direction. No costs. Consequently, connected miscellaneous petition is closed.

28.07. 2017

Index : Yes/No
Internet : Yes/No
bsm/tk

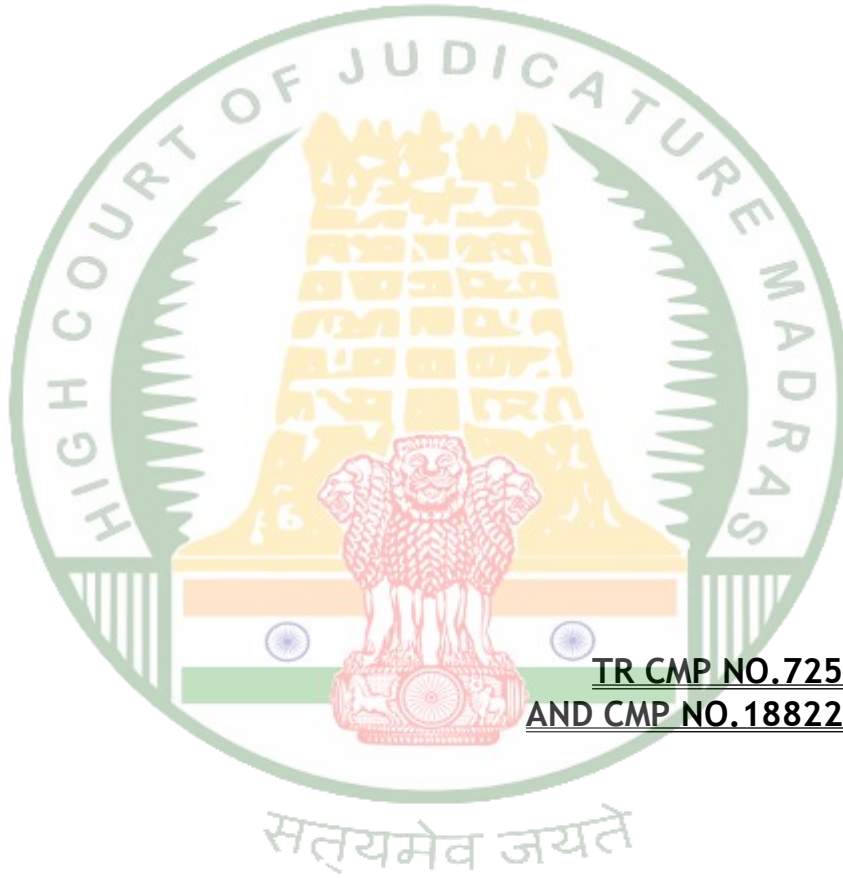
To

- 1) The Family Court
Thiruvallur.
- 2) The Family Court
Salem.
- 3) The Family Court,
Chengalpet.

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M.GOVINDARAJ, J.

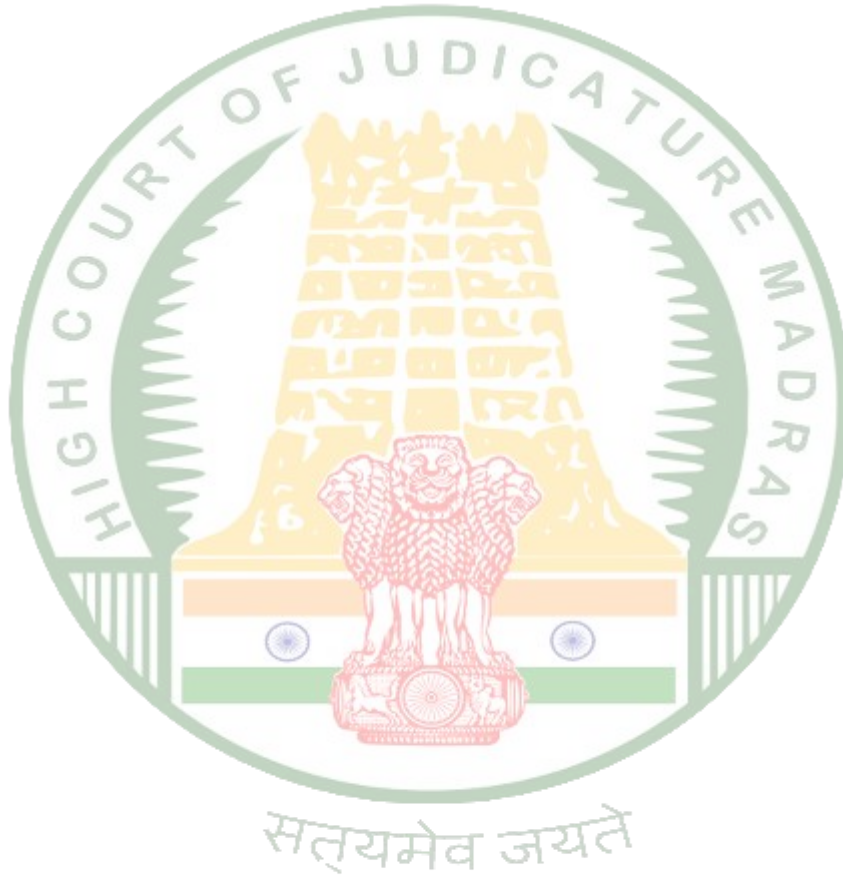
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