

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.07.2017

C O R A M

THE HONOURABLE MR.JUSTICE M. GOVINDARAJ

TR.C.M.P.No.791 Of 2016 and
C.M.P.No.20171 of 2016

P.Rajeshwari

... Petitioner

Vs.

D.Murugaian

... Respondent

PRAYER: Civil Miscellaneous Petition filed under Section 151 of CPC, to withdraw the HMOP.No.110 of 2016 pending on the file of the Principal Subordinate Judge, Thindivanam and transfer the same to the file of the III Additional Judge, Family Court, Chennai.

For Petitioner : Mr.Shankaralingam
For Respondent : Mr.P.Anbzhagan

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ORDER

This petition has been filed to transfer the HMOP.No.110 of 2016 pending on the file of Principal Judge, Subordinate Court, Thindivanam to the file of III Additional Judge, Family Court, Chennai.

2. The petitioner/wife has filed a petition for divorce on the file of the Principal Subordinate Court, Thindivanam.

3. The petitioner/wife has come up with this present petition to transfer the original petition filed by her in HMOP.No.110 of 2016 pending on the file of the Principal Subordinate Court, Thindivanam to the III Additional Judge, Family Court, Chennai.

4. When the matter was taken up for hearing on 21.12.2016, this court, while ordering notice, granted interim stay of HMOP.No.110 of 2016.

5. However, the Principal Subordinate Court, Thindivanam, has transferred HMOP.No.110 of 2016 to the file of III Additional Family Court, Chennai, without there being any order passed by this court for transfer. Today when the matter is taken up for hearing, the learned counsel for the respondent/husband would submit that the respondent is agreeable for the matter being transferred to the III Additional Family Court, Chennai.

6. In view of the transfer being already made, by the Subordinate Court, Thindivanam, the transfer the Civil Miscellaneous Petition stands

allowed. The III Additional Family Court, Chennai is directed to re-number the original petition and dispose of the same, on merits and in accordance with law, as expeditiously as possible.

5. With the above direction, this Transfer Civil Miscellaneous Petition is allowed. No costs. Consequently, connected miscellaneous petition is closed.

21.07.2017

Index : Yes/No
Internet : Yes/No

dna/kak

To

1. The Principal Judge, Subordinate Court, Thindivanam
2. The III Additional Judge, Family Court, Chennai.

सत्यमेव जयते

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M.GOVINDARAJ, J.

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