

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.03.2017

CORAM

THE HONOURABLE THIRU JUSTICE M. DURAISWAMY

Tr.C.M.P.No.831 of 2016
and
C.M.P.No.20547 of 2016

C.Kousalya

... Petitioner

vs.

V.Chinnasamy

... Respondent

Prayer:- Tr.C.M.P. filed under section 24 of C.P.C., to withdraw the divorce petition filed in H.M.O.P.No.395 of 2016 pending on the file of the Subordinate Court, Tambaram to the Family Court, Dharmapuri and try along with F.C.M.C.No.34 of 2016 pending on the file of the Family Court, Dharmapuri.

For Petitioner : Mr.S.K.Gandhi Kumar

For Respondent : Mr.G.Saibaba

O R D E R

The petitioner, who is the wife of the respondent, has filed the above Transfer Civil Miscellaneous Petition to withdraw the original petition in H.M.O.P.No.395 of 2016, pending on the file of Subordinate Court, Tambaram and transfer the same to the file of Family Court, Dharmapuri to file along with F.C.M.C.No.34 of 2016.

2. In the Affidavit filed in support of the petition the petitioner has stated that she is residing at Dharmapuri and therefore she is finding it difficult to travel all the way from Dharmapuri to Tambaram to appear before the Family Court.

3. The learned counsel appearing for the respondent, on instructions submitted that the respondent has no objection for transferring the original petition to the file of Family Court, Dharmapuri.

4. In view of the submissions made by the learned counsel on either side, the Original Petition in H.M.O.P.No.395 of 2016

pending on the file of Subordinate Court, Tambaram is withdrawn and transferred to the file of Family Court, Dharmapuri to be tried along with H.M.O.P.No.395 of 2016 pending on the file of Family Court, Dharmapuri. The Family Court, Dharmapuri is directed to club both the matters together and decide the same, on merits and in accordance with law, within a period of nine months from the date of receipt of a copy of this order.

With this observation, the Tr.C.M.P. is ordered. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Asst.Registrar

/true copy/

Sub Asst. Registrar

To

1.The Judge, Family Court,
Dharmapuri

2.The Subordinate Judge,
Tambaram.

+1cc to Mr.K. Gandhi Kumar, Advocate Sr. 18164

+3cc to Mr.G. Saibaba, Advocate Sr. 18066

Tr.C.M.P.No.831 of 2016
and
C.M.P.No.20547 of 2016

VSN(CO)
VR(28/03/2017)

WEB COPY