

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.04.2018

CORAM:

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

Tr.C.M.P.No.134 of 2018
& C.M.P.No.3664 of 2018

S.R.Nandhini

.. Petitioner

Vs.

S.Prabhu

.. Respondent

PRAYER: Petition filed under Section 24 of the Civil Procedure Code, to withdraw F.C.O.P.No.431 of 2017 pending on the file of the Family Court, Salem and transfer the same to the file of the Sub Court, Vaniyambadi, Vellore District.

For Petitioner : Mr.S.Udayakumar
for Mr.Karan and Uday

For Respondent : Mr.M.Guruprasad

O R D E R

This Transfer Civil Miscellaneous Petition has been filed to withdraw F.C.O.P.No.431 of 2017 pending on the file of the Family Court, Salem and transfer the same to the file of the Sub Court, Vaniyambadi, Vellore District.

2.Though the Transfer Petition is filed to transfer F.C.O.P.No.431 of 2017 pending on the file of the Family Court, Salem to Sub Court, Vaniyambadi, Vellore District, when the matter is taken up for hearing, both the learned counsel for the petitioner as well as the respondent submitted that they have no objection in transferring the cases in F.C.O.P.No.431 of 2017 pending on the file of the Family Court, Salem and H.M.O.P.No.129 of 2017 pending on the file of the Sub Court, Vaniyamabadi to Sub Court, Tirupattur to be tried together and made an endorsement to that effect.

3.Recording the submission and endorsement made by the learned counsel for the petitioner as well as respondent, without deciding the issue on merits, the petitions in

F.C.O.P.No.431 of 2017 and H.M.O.P.No.129 of 2017 are ordered to be withdrawn from the file of Family Court, Salem and Sub Court, Vaniyambadi respectively and transferred to the file of the Sub Court, Tirupattur to be tried together, in the interest of justice, in order to avoid multiplicity of proceedings and conflicting judgments being delivered by two different Courts. The Presiding Officers, Family Court, Salem and Sub Court, Vaniyambadi are directed to transmit all the records pertaining to F.C.O.P.No.431 of 2017 and H.M.O.P.No.129 of 2017 respectively to the file of the Sub Court, Tirupattur, within a period of two weeks from the date of receipt of a copy of this order.

4. Accordingly, this Transfer Civil Miscellaneous petition is ordered. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar (CS II)

//True Copy//

Sub Assistant Registrar

gsa
To

1. The Judge,
The Family Court,
Salem.

2. The Subordinate Judge,
Tirupattur.

3. The Subordinate Judge,
Vaniyambadi.

+1cc to M/S. Karan and Uday, Advocate Sr.31176

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rj[co]
srg 29/05/2018