

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.06.2018

CORAM :

THE HONOURABLE MS. JUSTICE V.M.VELUMANI

Tr.C.M.P. No.155 of 2018

and C.M.P.No.4246 of 2018

Mohanapriya

... Petitioner

Vs.

D.Ganesh

.... Respondent

Prayer:- Petition has been filed under Section 24 of C.P.C., to withdraw H.M.O.P.No.608 of 2016 pending on the file of the Subordinate Court, Poonamallee and transfer the same to the file of the VI Additional Family Court, Chennai to be tried along with F.C.O.P.No.3727 of 2016.

For Petitioner : Mr.Vimal Raj
for Mr.N.R.Anatharamakrishnan

For Respondent : Mr.M.I.Javid Akbar
for M/s.D.Ashok Kumar

O R D E R

This petition is filed to withdraw H.M.O.P.No.608 of 2016 pending on the file of the Subordinate Court, Poonamallee and transfer the same to the file of the VI Additional Family Court, Chennai to be tried along with F.C.O.P.No.3727 of 2016.

2.When this Transfer Civil Miscellaneous Petition is taken up for hearing, the learned counsel appearing for the respondent submitted that the respondent has no objection to transfer H.M.O.P.No.608 of 2016 pending on the file of the Subordinate Court, Poonamallee to the file of the VI Additional Family Court, Chennai to be tried along with F.C.O.P.No.3727 of 2016 and he has made an endorsement to that effect.

3.Heard the learned counsel for the petitioner as well as the respondent and perused the materials available on record.

4.In view of the submission and endorsement so made by the learned counsel for the respondent, without deciding the issue

on merits, the petition in H.M.O.P.No.608 of 2016 pending on the file of the Subordinate Court, Poonamallee is ordered to be withdrawn and transferred to the file of the VI Additional Family Court, Chennai to be tried along with F.C.O.P.No.3727 of 2016 filed by the respondent in order to avoid multiplicity of proceedings and conflicting judgments being delivered by two different Courts. The learned Subordinate Judge, Poonamallee is directed to transmit all the records pertaining to H.M.O.P.No.608 of 2016 to the file of the VI Additional Family Court, Chennai within a period of two weeks from the date of receipt of a copy of this order.

5. Accordingly, the Transfer Civil Miscellaneous Petition is ordered. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar

To

1.The Judge, VI Additional Family Court, Chennai.

2.The Subordinate Judge, Poonamallee.

+1cc to Mr.D.Ashok Kumar, Advocate, S.R.No.40772

Tr.C.M.P. No.155 of 2018
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GSP(10/07/2018)

सत्यमेव जयते

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