

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.06.2018

CORAM :

THE HONOURABLE MS. JUSTICE V.M.VELUMANI

Tr.C.M.P.No.296 of 2018
and C.M.P.No.7535 of 2018

N.Sri Vaishnavy

... Petitioner

Vs.

K.Pravin Kumar

.... Respondent

Prayer:- Petition is filed under Section 24 of C.P.C., to withdraw H.M.O.P.No.26 of 2018 pending on the file of the Sub Court, Ponneri and transfer the same to the file of Family Court, Puducherry to be tried along with M.O.P.No.114 of 2018.

For Petitioner : Mr.P.Jagadeesan

For Respondent : Mr.R.Saravanan
for Mr.T.Saikrishnan

O R D E R

This petition is filed to withdraw H.M.O.P.No.26 of 2018 pending on the file of the Sub Court, Ponneri and transfer the same to the file of Family Court, Puducherry to be tried along with M.O.P.No.114 of 2018.

2.When this 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.26 of 2018 pending on the file of the Sub Court, Ponneri to the file of the Family Court, Puducherry to be tried along with M.O.P.No.114 of 2018 and he has made an endorsement to that effect. He has also prayed for early disposal of the H.M.O.P.

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.26 of 2018 pending on the

file of the Sub Court, Ponneri is ordered to be withdrawn and transferred to the file of the Family Court, Puducherry to be tried along with M.O.P.No.114 of 2018 filed by the petitioner in order to avoid multiplicity of proceedings and conflicting judgments being delivered by two different Courts. The learned Subordinate Judge, Ponneri is directed to transmit all the records pertaining to H.M.O.P.No.26 of 2018 to the file of the Family Court, Puducherry within a period of two weeks from the date of receipt of a copy of this order. On receipt of the records, the learned Judge, Family Court, Puducherry is directed to dispose of the case as expeditiously as possible.

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

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

gsa

To

1. The Judge,
Family Court,
Puducherry.
2. The Sub Judge,
Ponneri.

+1cc to Mr.P.Jagadeesan, Advocate, S.R.No. 38000.
+1cc to Mr.T.Saikrishnan, Advocate, S.R.No.37554.

Tr.C.M.P.No.296 of 2018
and C.M.P.No.7535 of 2018

SS(CO)
BM 02/07/2018

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