

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.07.2018

CORAM :

THE HONOURABLE MS. JUSTICE V.M.VELUMANI

Tr.C.M.P. No.394 of 2018
and C.M.P.No.10372 of 2018

P.Radhika @ Amsaveni

... Petitioner

Vs.

Dr.V.Muralidaran
(Represented by P.A. holder
mother V.Nagalatha)

... Respondent

Prayer:- Petition is filed under Section 24 of C.P.C., to withdraw F.C.O.P.No.397 of 2017 pending on the file of Family Court, Salem and transfer the same to the file of Family Court, Dharmapuri, to be tried along with M.C.No.15 of 2018, pending on its file.

For Petitioner : Mr.Durai Gunasekaran
For Respondent : Ms.T.Dharani

O R D E R

Though this Transfer Petition is filed to transfer F.C.O.P.No.397 of 2017 pending on the file of Family Court, Salem, to the file of Family Court, Dharmapuri, to be tried along with M.C.No.15 of 2018 pending on its file, today when this petition is taken up for hearing, both the learned counsel for the petitioner and respondent submitted that they have no objection to transfer F.C.O.P.No.397 of 2017 pending on the file of Family Court, Salem, to the file of Principal Family Court, Chennai, to be tried along with M.C.No.15 of 2018 filed by the petitioner and they have also made endorsements to that effect. Both the learned counsel appearing for the petitioner and respondent further submitted that the respondent has returned the articles to the petitioner as per the list enclosed, petitioner has also returned the laptop to the respondent and both the parties and their respective counsel have also signed in the list produced by the parties.

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

3. In view of the above submissions and endorsements made by both the learned counsel for the petitioner and respondent,

without deciding the issue on merits, both F.C.O.P.No.397 of 2017 filed by respondent and M.C.No.15 of 2018 filed by the petitioner are ordered to be withdrawn from the file of Family Court, Salem and Family Court, Dharmapuri respectively and transferred to the file of Principal Family Court, Chennai, for joint trial, in order to avoid multiplicity of proceedings. The learned Judge, Family Court, Salem and the learned Judge, Family Court, Dharmapuri, are directed to transmit all the records pertaining to F.C.O.P.No.397 of 2017 and M.C.No.15 of 2018 to the file of Principal Family Court, Chennai, 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 VII)

//True copy//

Sub Assistant Registrar

LPP/kj

To

1. The Judge, Family Court, Salem.
2. The Judge, Family Court, Dharmapuri.
3. The Judge, Principal Family Court, Chennai.

+lcc to Mr.T.Dharani, Advocate SR.No.52497

+lcc to Mr.S.Vijaya Kumar, Advocate SR.No.51592

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RK(CO)
GN(27/08/2018)