

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.07.2018

CORAM :

THE HONOURABLE MS. JUSTICE V.M.VELUMANI

Tr.C.M.P. No.419 of 2018
and C.M.P.No.10949 of 2018

A.Radhika

... Petitioner

Vs.

D.Amarnath

... Respondent

Prayer:- Petition is filed under Section 24 of C.P.C., to withdraw H.M.O.P.No.4042 of 2017 pending on the file of VII Additional Family Court, Chennai and transfer the same to the file of Sub Court, Lalgudi, to be tried along with H.M.O.P.No.82 of 2018, pending on its file.

For Petitioner : Mr.A.Sasikumar

For Respondent : Ms.H.Rajeswari Karthikeyan

O R D E R

This petition is filed to withdraw H.M.O.P.No.4042 of 2017 pending on the file of VII Additional Family Court, Chennai and transfer the same to the file of Sub Court, Lalgudi, to be tried along with H.M.O.P.No.82 of 2018, pending on its file.

2.When this petition is taken up for hearing, the learned counsel appearing for the petitioner and respondent submitted that they have no objection to transfer H.M.O.P.No.4042 of 2017 pending on the file of the VII Additional Family Court, Chennai filed by the respondent and H.M.O.P.No.82 of 2018 pending on the file of Sub Court, Lalgudi filed by the petitioner, to the file of Family Court, Trichy and they have also made an endorsement to that effect.

3.Recording the submissions and endorsements made by both the learned counsel for the petitioner as well as respondent, without deciding the issue on merits, the petition in H.M.O.P.No.4042 of 2017 and H.M.O.P.No.82 of 2018 are ordered to

be withdrawn from the file of VII Additional Family Court, Chennai and Sub Court, Lalgudi and transferred to the file of Sub Court, Trichy, in order to avoid multiplicity of proceedings and conflicting judgments being delivered by two different Courts. The learned Judge, VII Additional Family Court, Chennai and Subordinate Judge, Lalgudi, are directed to transmit all the records pertaining to H.M.O.P.No.4042 of 2017 and H.M.O.P.No.82 of 2018 to the file of the Sub Court, Trichy, 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/-
Deputy Registrar

//True Copy//

Sub Assistant Registrar

LPP/arr

To

- 1.The Judge, VII Additional Family Court, Chennai.
- 2.The Subordinate Judge, Lalgudi.
- 3.The Subordinate Judge, Trichy.

+2cc to Mr.R.ArunKumar, Advocate, S.R.No.50158

+1cc to M/s.A.Rajeswari Karthikeyan, Advocate, S.R.No.50290

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srg 04/09/2018