

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.07.2018

CORAM :

THE HONOURABLE MS. JUSTICE V.M.VELUMANI

Tr.C.M.P. No.72 of 2018

and C.M.P.No.2062 of 2018

S.Sindhuja

... Petitioner

Vs.

R.Vivek Prabhu

... Respondent

Prayer:- Petition is filed under Section 24 of C.P.C., to withdraw I.D.O.P.No.68 of 2017 pending on the file of the Family Court, Chengalpattu and transfer the same to the file of the District and Sessions Court, Tiruvallur, to be tried along with I.D.O.P.No.265 of 2017 pending on its file.

For Petitioner : Mr.S.Ravi

For Respondent : Mr.S.Dhassaiya

O R D E R

This petition is filed to withdraw I.D.O.P.No.68 of 2017 pending on the file of the Family Court, Chengalpattu and transfer the same to the file of the District and Sessions Court, Tiruvallur, to be tried along with I.D.O.P.No.265 of 2017 pending on its file.

2.When this petition is taken up for hearing, both the learned counsel appearing for the petitioner and respondent submitted that they have no objection to transfer both I.D.O.P.No.68 of 2017 filed by the respondent for divorce, pending on the file of the Family Court, Chengalpattu and I.D.O.P.No.265 of 2017 filed by the petitioner for restitution of conjugal rights, pending on the file of the District and Sessions Court, Tiruvallur, to the file of the Family Court, Chennai and they have made an endorsement to that effect.

3.Recording the submission and endorsement so made by both the learned counsel for the petitioner and respondent, without deciding the issue on merits, both the petitions in I.D.O.P.Nos.68 and 265 of 2017 are ordered to be withdrawn

from the file of the Family Court, Chengalpattu and District & Sessions Court, Tiruvallur, respectively and transferred to the file of the Principal Family Court, Chennai, for joint trial. Both the learned Judge, Family Court, Chengalpattu and the learned District & Sessions Judge, Tiruvallur, are directed to transmit all the records pertaining to I.D.O.P.Nos.68 and 265 of 2017 respectively, to the file of the 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-V)

//True Copy//

Sub Assistant Registrar

kj

To

1.The Principal Judge, Family Court, Chennai.

2.The District and Sessions Judge, Tiruvallur.

3.The Judge, Family Court, Chengalpattu.

+1 cc to MR.S.RAVI, Advocate SR.NO.47516

+2 cc to Mr.S.Dhassaiya, Advocate SR.NO.48223

Tr.C.M.P. No.72 of 2018
and C.M.P.No.2062 of 2018

AR(CS-V)

ASK(02/08/2018)

सत्यमेव जयते

WEB COPY