

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.04.2018

CORAM :

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

Tr.C.M.P.No.485 of 2013
and M.P.No.1 of 2013

Esther Jeyanthi

... Petitioner

Vs.

P.Glaston (alias) Glaston Vixon Raj

.... Respondent

PRAYER- Petition filed under Section 24 of the Civil Procedure Code, to withdraw O.P.No.723 of 2013 pending on the file of the I Additional Family Court, Chennai and transfer the same to the file of District Court, Tirunelveli.

For Petitioner : Mr.J.Antony Jesus
For Respondent : M/s.A.Perumal Raju

O R D E R

This transfer petition is filed to withdraw O.P.No.723 of 2013 pending on the file of the I Additional Family Court, Chennai and transfer the same to the file of District Court, Tirunelveli.

2.Though the transfer petition has been filed by the petitioner to transfer O.P.No.723 of 2013 filed by the respondent before I Additional Family Court, Chennai to District Court, Tirunelveli, when the matter is taken up for hearing, the learned counsel for the petitioner as well as respondent submitted that they have no objection in transferring the case in O.P.No.723 of 2013, pending on the file of I Additional Family Court, Chennai to Principal District Court, Tuticorin and made an endorsement to that effect.

3.Recording the submission and endorsement made by the learned counsel for the petitioner as well as respondent, without deciding the issue on merits, the petition in O.P.No.723 of 2013 is ordered to be withdrawn from the file of I Additional Family Court, Chennai and transferred to the file of the Principal District Court, Tuticorin, to be tried along with

D.O.P.No.131 of 2017 filed by the petitioner in the interest of justice, in order to avoid multiplicity of proceedings and conflicting judgments being delivered by two different Courts. The Presiding Officer, I Additional Family Court, Chennai is directed to transmit all the records pertaining to O.P.No.723 of 2013 to the file of the Principal District Court, Tuticorin, 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 III)

//True Copy//

Sub Assistant Registrar

gsa

To

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

2.The Principal District Judge,
Tuticorin.

+1 cc to M/s.A.Perumal Raju Advocate sr 29118

+1 cc to M/s.J.Antony Jesus Advocate sr 29392

Tr.C.M.P.No.485 of 2013
and M.P.No.1 of 2013

nri(co)
aa03/05/2018

WEB COPY