

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.12.2018

CORAM:

THE HONOURABLE MR.JUSTICE R.PONGIAPPAN

TR.C.M.P.No.756 of 2018
& CMP.No.18519 of 2018

Girija

... Petitioner

Vs.

Ranjith Kumar @ Ranjith Sarvin

... Respondent

Transfer Civil Miscellaneous Petition filed under Section 24 CPC to withdraw F.C.OP.No.196 of 2018 pending on the file of Family Court, Erode and transfer the same to the file of Additional Sub Court, Karur to be tried alongwith HMOP No.48 of 2018 wherein HMOP No.48 of 2018 is pending.

For petitioner : :Mr.M.Neelakandan

For respondent : Mr.P.Muthukumarasamy

ORDER

This petition has been filed by the petitioner seeking the relief to withdraw F.C.OP.No.196 of 2018 now pending on the file of Family Court, Erode and to transfer the same to the file of Additional Sub Court, Karur to be tried alongwith HMOP No.48 of 2018.

2. Today, when the matter is taken up for consideration, learned counsel appearing for the respondent made an endorsement that he has no objection to allow this petition and for transferring the case in F.C.OP.No.196 of 2018 from the file of Family Court, Erode to the file of Additional Sub Court, Karur for trying together alongwith HMOP No.48 of 2018. In view of the endorsement made by the learned counsel for the respondent, this petition is allowed.

3. Accordingly, the Transfer Civil Miscellaneous Petition is ordered. The petition in F.C.O.P.No. 196 of 2018 is ordered to be withdrawn from the file of the Family Court, Erode and transferred to the file of the Additional Sub Court, Karur, for trying together along with HMOP No.48 of 2018 filed by the petitioner, in order to avoid multiplicity of proceedings and

for avoiding conflicting judgments being delivered by two different Courts. The learned Judge, Family Court, Erode is directed to transmit all the records pertaining to F.C.OP.No.196 of 2018 to the file of the Additional Subordinate Court, Karur within a period of two weeks from the date of receipt of a copy of this order. On receipt of records, the learned Additional Sub Judge, Karur is directed to dispose of the case as expeditiously as possible. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

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To

1.The Judge,
The Family Court, Erode.

2.The Additional Sub Judge,
Karur.

+1cc to Mr.P.Muthukumaraswamy, Advocate Sr.86307

Tr.C.M.P.No.756 of 2018

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srg 04/01/2019

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