

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.04.2019

C O R A M

THE HONOURABLE MR.JUSTICE M. GOVINDARAJ

TR.CMP.NO.75 OF 2019
AND CMP NO.2891 OF 2019

Sasikala ... Petitioner
Vs.
Ramesh ... Respondent

PRAYER: Petition filed under Section 24 of the Civil Procedure Code to withdraw HMOP No.128 of 2017 on the file of the Family Court, Villupuram and transfer the same to Family Court, Puducherry to be tried along with M.C.No.31 of 2018 pending on the file of Family Court, Puducherry.

For Petitioner : Mr.K.S.Ilangovan
for M/s.Achari & Antoni

ORDER

This Transfer Civil Miscellaneous Petition is filed by the petitioner seeking to withdraw HMOP No.128 of 2017 from the file of Family Court, Villupuram to Family Court, Puducherry, to be tried along with M.C.No.31 of 2018.

2. The petitioner is the wife. The respondent / husband filed HMOP No.128 of 2017 seeking divorce before the Family Court, Villupuram. The petitioner is a resident of Puducherry. She filed a petition in M.C.No.31 of 2018 before the Family Court, Puducherry, seeking maintenance. Even in the petition filed by the respondent / husband for divorce, the address of the petitioner / wife was shown as Puducherry. Pleading physical hardship for travelling from Puducherry to Villupuram, for every hearing, the petitioner seeks transfer of the petition filed by her husband before the Family Court, Villupuram to Family Court, Puducherry, to be tried along with M.C.NO.31 of 2018 filed by her before the same Court.

3. Considering the physical hardship caused to the petitioner/wife for travelling from Puducherry to Villupuram, to attend the hearings before the Family Court, Villupuram and to avoid multiplicity of proceedings, this Court is inclined to transfer the petition filed by the husband to Family Court, Puducherry to be tried along with the petitioner/wife for maintenance.

4. Accordingly, HMOP No.128 of 2017 pending on the file of Family Court, Villupuram is withdrawn and transferred to the Family Court, Puducherry to be tried along with M.C.No.31 of 2018. The learned Judge, Family Court, Puducherry, is directed to renumber the petition; issue notice to both the parties and continue the proceedings from the stage where it stands and dispose of both the petitions, as expeditiously as possible.

5. The Transfer Civil Miscellaneous Petition is disposed of accordingly. No costs. Consequently, connected civil miscellaneous petition is closed.

04.04.2019

Index : Yes/No
Internet : Yes/No
Speaking / Non-speaking order
TK

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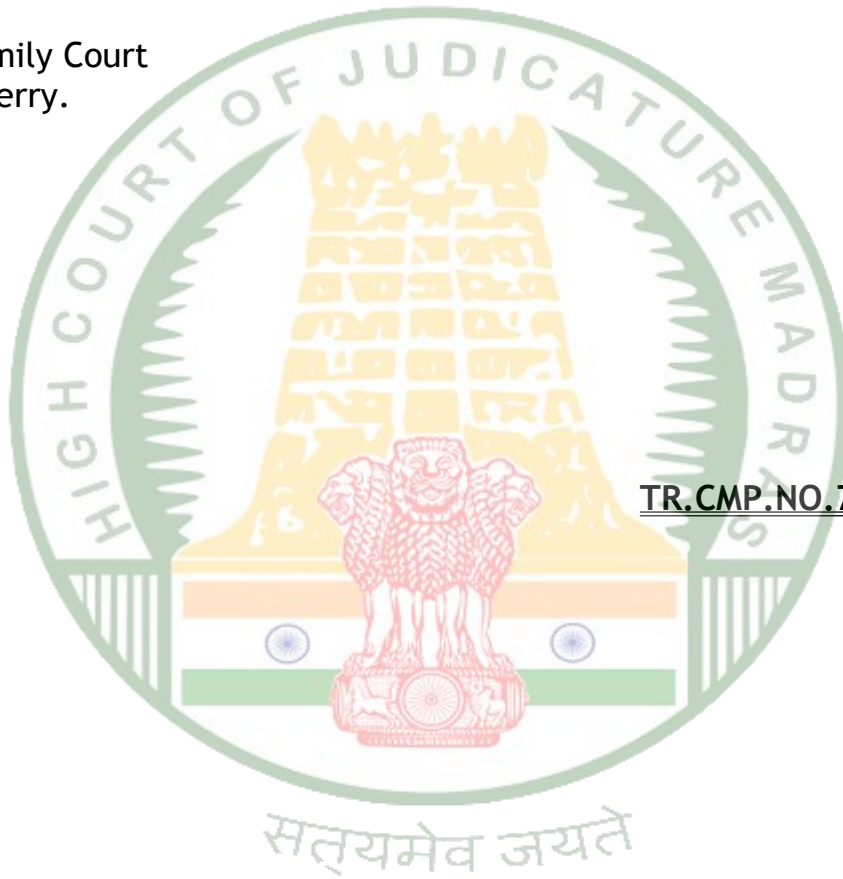
M.GOVINDARAJ, J.

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To

1.The Family Court
Villupuram.

2.The Family Court
Puducherry.



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