

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 05.08.2019

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

Tr. C.M.P. No.217 of 2019
and C.M.P. No.6501 of 2019

V.Sandhya @ Archana

... Petitioner

-vs-

S.Velu @ Sivakumar

... Respondent

Prayer: Petition filed under Section 24 of C.P.C to withdraw the O.P. No.708 of 2019 on the file of the II Additional Family Court, Chennai and transfer the same to Sub Court, Poonamallee to be tried along with H.M.O.P. No.92 of 2019 pending there.

For Petitioner : Mr.M.Selvam

For Respondent : Ms.Inthu Karunakaran

O R D E R

The Transfer C.M.P. has been filed to transfer the O.P. No.708 of 2019 pending on the file of the II Additional Family Court, Chennai to the file of the Sub Court, Poonamallee.

2.Learned counsel appearing for the petitioner would submit that the marriage between the petitioner and the respondent was solemnised on 30.06.2014 at R.K.Annai Abirami A/C Mahal, No.13/4, Pattu Koot Road, Kundrathur Main Road, Mangadu. Due to matrimonial disputes arose between themselves, in order to harass the petitioner, the respondent filed a petition in O.P. No.708 of 2019 before the II Additional Family Court, Chennai seeking divorce. In order to lead a peaceful life, the petitioner filed a petition in H.M.O.P. No.92 of 2019 seeking restitution of conjugal rights before the Sub Court, Poonamallee. As the petitioner is now residing with her parents, she finds it difficult to undertake long journey alone to attend the Court hearings and therefore, if the said O.P. No.708 of 2019 is transferred to the file of the Sub Court, Poonamallee, no prejudice will be caused to the respondent.

3.Learned counsel appearing for the respondent seeks time to file counter.

4.Taking note of the fact that the respondent has to appear before the Sub Court, Poonamallee for conducting the H.M.O.P. No.92 of 2019, this Court is inclined to transfer the O.P. No.708 of 2019 pending before the II Additional Family Court, Chennai to the file of the Sub Court, Poonamallee.

5.Accordingly, the Tr. C.M.P. is allowed and the O.P. No.708 of 2019 pending on the file of the II Additional Family Court, Chennai is withdrawn and transferred to the file of the Sub Court, Poonamallee.

6.The learned Sub Judge, Poonamallee is directed to take up both the cases and dispose of the same expeditiously in the manner known to law. No costs. Consequently, C.M.P. No.6501 of 2019 is closed.

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

vga

To

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

2.The Subordinate Judge,
Poonamallee.

+1cc to Mr.M.Selvam , Advocate SR.No.66672,66712

Tr. C.M.P. No.217 of 2019
and C.M.P. No.6501 of 2019

A.SK(24/09/2019)