

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 24.06.2019

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

Tr. C.M.P. No.282 of 2019
and C.M.P. No.8204 of 2019

N.Renukadevi

... Petitioner

-vs-

K.S.Kannan

... Respondent

Prayer: Petition filed under Section 24 of C.P.C to withdraw the petition in H.M.O.P.No.629 of 2017 on the file of Subordinate Court at Tambaram and transfer the same to the Family Court, Coimbatore or any other Court in Coimbatore District.

For Petitioner : Mr.S.Arjun

For Respondent : No Appearance

O R D E R

The Transfer C.M.P. has been filed to transfer the H.M.O.P. No.629 of 2017 pending on the file of the Subordinate Court, Tambaram to the file of the Family Court, Coimbatore.

2.Learned counsel appearing for the petitioner would submit that the marriage between the petitioner and the respondent was solemnised on 10.09.2010, as per Hindu Rites and Customs. In support of the prayer, learned counsel appearing for the petitioner pleaded that due to escalation of disputes between the petitioner and the respondent, the respondent filed the H.M.O.P. No.629 of 2017 before the Subordinate Court, Tambaram seeking for the relief of divorce with false and frivolous allegations against the petitioner. However, the petitioner filed M.C. No.28 of 2019 before the Additional Family Court, Coimbatore seeking maintenance.

3.Though in the earlier hearing the learned counsel appeared on behalf of the respondent, today there is no representation on his behalf.

4.Taking note of the fact that the Maintenance Case in M.C. No.28 of 2019 seeking maintenance filed by the petitioner was pending before the Additional Family Court, Coimbatore and no one appeared on behalf of the respondent, which shows that the respondent has no objection in allowing the petition, this Court is inclined to transfer the H.M.O.P. No.629 of 2017 pending before the Subordinate Court, Tambaram to the file of the Family Court, Coimbatore. Accordingly, the Tr.C.M.P. is allowed and the H.M.O.P. No.629 of 2017 pending on the file of the Subordinate Court, Tambaram is withdrawn and transferred to the file of the Family Court, Coimbatore.

5.The Family Court, Coimbatore 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.8204 of 2019 is closed.

Sd/-
Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

vga
To

1.The Subordinate Judge,
Tambaram.

2.The Judge,
Family Court,
Coimbatore.

+1cc to Mr.S.Arjun, Advocate SR.51984

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srg 30/07/2019