

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 22.08.2019

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

Tr.C.M.P.No.526 of 2019 and
CMP.No.14555 of 2019

S.Yuvarani

.. Petitioner

vs.

Mohan

.. Respondent

Transfer Civil Miscellaneous Petition filed under Section 24 (1)(b) of the C.P.C. seeking to withdraw the HMOP.No.158 of 2018 pending before the Sub-Court, Cheyyar and transfer the same to the VII Additional Family Court, Chennai for joint trial with the case in HMOP.No.289/2019 pending on its file.

For Petitioner :Mr.V.R.Appaswamee

For respondent :No appearance

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JUDGMENT

This Transfer Civil Miscellaneous Petition has been filed seeking to withdraw the HMOP.No.158 of 2018 pending before the Sub-Court, Cheyyar, filed by the respondent husband seeking dissolution of the marriage that took place between the parties on 31.08.2018 and transfer the same to the file of the learned VII Additional Judge, Family Court, Chennai for joint trial along with the case in HMOP.No.289/2019 pending on its file, filed by the petitioner wife seeking restitution of conjugal rights.

2. When the matter is called today, the learned Counsel for the petitioner is present. There is no representation on behalf of the respondent.

3. A perusal of the Registry Records would show that in spite of service of notices, the respondent has not chosen to appear before this Court. It shows that the respondent has no objection for allowing the present Transfer CMP. Secondly, the petitioner wife has filed HMOP.No.289 of 2019 on the file of the

learned VII Additional Judge, Family Court, Chennai seeking restitution of conjugal rights. Therefore, if the pending HMOP.No.158 of 2018 on the file of the learned Subordinate Judge, Sub-Court, Cheyyar, Thiruvannamali District is withdrawn and posted along with the HMOP.No.289/2019 pending on the file of the learned VII Additional Judge, Family Court, Chennai, no prejudice would be caused to the respondent.

4. In view of all the above, the Transfer Civil Miscellaneous Petition is allowed. Accordingly, the HMOP.No.158 of 2018 pending on the file of the learned Subordinate Judge, Sub-Court, Cheyyar, Thiruvannamali District is withdrawn and transferred to the file of the learned VII Additional Judge, Family Court, Chennai to be tried along with the HMOP.No.289/2019 pending on his file for expeditious disposal on merits. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-
Asst.Registrar

/true copy/

Sub Asst. Registrar

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To

1.The Subordinate Judge, Sub-Court, Cheyyar,
Thiruvannamalai.

2.The VII Additional Judge, Family Court,
Chennai.

+1 cc to Mr.V.R.Appaswamee Advocate sr72028

Tr.CMP.No.526 of 2019

rjI(co)
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