

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.03.2019

C O R A M

THE HONOURABLE MR.JUSTICE M.GOVINDARAJ

TR C.M.P. No.557 of 2017
and
C.M.P.No.11440 of 2017

P.Sumathi ... Petitioner

Vs.

S.Udhaykumar Respondent

PRAYER: Transfer Civil Miscellaneous Petition filed under Section 24 of C.P.C., to withdraw and transfer HMOP.No.113 of 2015 on the file of the Subordinate Court, Hosur to try along with the FCOP No.212 of 2016 on the file of the Family Court, Vellore.

For Petitioner : Mr.K.Mohanamurali

For Respondent : No Appearance

O R D E R

This Transfer Civil Miscellaneous Petition has been filed seeking transfer of HMOP.No.113 of 2015 on the file of the Subordinate Court, Hosur to try along with the FCOP No.212 of 2016 on the file of the Family Court, Vellore.

2. Respondent and petitioner are husband and wife. The respondent/husband filed a petition in HMOP.No.113 of 2015 for divorce before the Sub Court, Hosur. The petitioner/wife filed a petition for restitution of conjugal rights in FCOP.No.212 of 2016 before the Family Court, Vellore. Both the cases are pending. The petitioner finds it difficult to travel all the way from Vellore to Hosur to attend the hearing. The learned counsel for the petitioner would also submit that the petitioner is not in a good financial condition to meet her expenditure.

3. Considering the convenience of both parties, this Court is inclined to transfer the petition. Accordingly, the H.M.O.P.No.113 of 2015 pending on the file of Sub Court, Hosur

is withdrawn and transferred to the file of Family Court, Vellore to be tried along with F.C.O.P.No.212 of 2016. The Family Court, Vellore is directed to complete the trial as expeditiously as possible.

4. The Transfer Civil Miscellaneous Petition is disposed of with the above direction. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar (CCC)

//True copy//

Sub Assistant Registrar

bri

To

1.The Sub Judge, Hosur.

2.The Judge, The Family Court, Vellore .

+1cc to Mr.K.Mohanamurali, Advocate SR.No.25594

TR C.M.P. No.557 of 2017
and
C.M.P.No.11440 of 2017

AK (CO)
GMY (30/04/2019)

सत्यमेव जयते

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