

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 07.01.2019

CORAM:

THE HONOURABLE MR. JUSTICE R. PONGIAPPAN

Transfer CMP. No.870 of 2018
and C.M.P.No.21486 of 2018

Mrs.S.Hemamala

....Petitioner / Respondent

Vs

Mr.S.Alagar Raja

....Respondent / Petitioner

PRAYER: Transfer Civil Miscellaneous Petition filed under Section 24 (1) (b) (ii) of Code of Civil Procedure to withdraw H.M.O.P.No.55 of 2018 pending on the file of the Subordinate Court at Periyakulam and to transfer the same to the file of the Family Court at Chennai.

For Petitioner : Mr.S.Dinesh Babu

For Respondent : Mr.M.Baskaran

O R D E R

This Transfer Civil Miscellaneous Petition has been filed under Section 24 (1) (b) (ii) of Code of Civil Procedure to withdraw H.M.O.P.No.55 of 2018 from the file of the Subordinate Court at Periyakulam and to transfer the same to the file of the Family Court at Chennai.

2. Today, when the petition is taken up for hearing, the learned counsel appearing for the petitioner as well as the respondent are present. Both the counsel are represented before this Court that, the petition mentioned H.M.O.P.No.55 of 2015 may be transferred to one of the Subordinate Court situated in Chengalpet. To that effect, both of them made an endorsement in the petition.

3.Hence, on considering the convenience of both the petitioner and the respondent and also considering the request made by either parties, this Court comes to the conclusion that Chengalpet is the appropriate place and also it is convenient for both the parties for attending the Court proceedings.

4. In the light of the above discussions, the Transfer Civil Miscellaneous Petition is ordered. The case in H.M.O.P.Nos.55 of 2018 is ordered to be withdrawn from the file of the Subordinate Court, Periyakulam, and to be transferred to the file of the Subordinate Court, Chengalpet. The learned Subordinate Judge, Periyakulam, is directed to transmit the case records pertaining to H.M.O.P.Nos.55 of 2018 to the file of the Subordinate Court, Chengalpet, within a period of two weeks from the date of receipt of a copy of this order. On receipt of such records, the learned Subordinate Judge, Chengalpet is directed to dispose of the case as expeditiously as possible. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

sbn

To

1.The Subordinate Court, Periyakulam.

2.The Subordinate Court, Chengalpet.

3.The Family Court, Chennai.

+1cc to Mr.M.Baskaran, Advocate, S.R.No.1622

+1cc to Mr.S.V.Udyakumar, Advocate, S.R.No.1686

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SR(CO)

GSP(04/02/2019)

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