

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:25.02.2019

THE HONOURABLE MR.JUSTICE M.GOVINDARAJ

Tr.CMP.No.935 of 2018
and
Tr.CMP.No.843 of 2018
and
C.M.P.No.23103/18 and
C.M.P.No.20869/18

Tr.CMP.Nos.935 of 2018

V.Sathya

...Petitioner/Respondent

Vs.

Paneer Selvam

.... Respondent /Petitioner

PRAYER :-Transfer Civil Miscellaneous petitions filed under section 24 of the Civil Procedure Code, praying to withdraw the H.M.O.P.No.78 of 2016 pending on the file of Sub Court, Palani and transfer the same to the file Family court at Dharmapuri to try along with M.C.No.98 of 2017 pending on its file.

For Petitioner : Mr.D.Selvaraju

For Respondent : Mr.Beroy Augustine

Tr.CMP.Nos.843 of 2018

M.Panneer Selvam

... Petitioner/Petitioner

Vs.

V.Sathya

.... Respondent/Respondent

PRAYER : Transfer Civil Miscellaneous petitions filed under section 24 of the Civil Procedure Code, praying to withdraw the H.M.O.P.No.78 of 2016 on the file of the Subordinate Judge at Palani and transfer the same to the Family Court at Dharmapuri.

For petitioner : Mr.Beroy Augustine

For respondent : Mr.D.Selvaraju

C O M M O N O R D E R

The wife filed Tr.C.M.P.No.935 of 2018 seeking to withdraw the divorce petition filed by the husband in H.M.O.P.No.78 of 2016 pending on the file of Sub Court, Palani and transfer the same to the Family court at Dharmapuri to be tried along with maintenance petition M.C.No.98 of 2017, pending on its file.

2. Likewise, husband filed Tr.C.M.P.No.843 of 2018 seeking to withdraw the H.M.O.P.No.78 of 2016 on the file of the Subordinate Judge at Palani and transfer the same to the Family Court at Dharmapuri.

3. Heard the submissions made on either side.

4. The learned counsel for the respondent would submit that the respondent / husband has no objection for transferring the case from Sub-Court, Palani to Family Court, Dharmapuri.

5. Since the respondent has agreed for transferring the petition filed for divorce, this Court is inclined to transfer the case from Sub- Court, Palani to the Family Court, Dharmapuri.

6. Accordingly, H.M.O.P.No.78 of 2016 filed by the husband, pending on the file of Sub Court, Palani is withdrawn and transferred to the Family Court, Dharmapuri, to be tried along with M.C.No.98 of 2017. The learned Judge, Family Court, Dharmapuri, is directed to renumber the H.M.O.P.No.78 of 2016 and dispose of both the petitions, as expeditiously as possible.

7. Both the Transfer Civil Miscellaneous Petition are disposed of accordingly. No costs. Consequently, connected Civil Miscellaneous Petitions are closed.

bkn

Sd/-

Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

To
1. The Subordinate Court,
Palani.

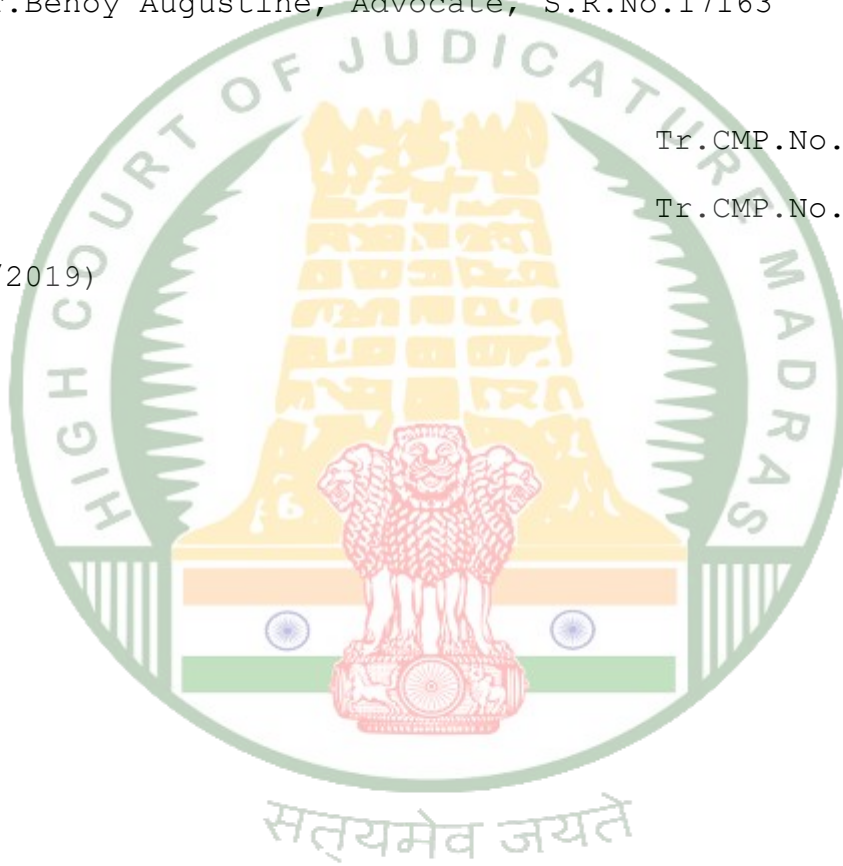
2. The Judge,
Family court,
Dharmapuri.

+1cc to Mr.D.Selvaraju, Advocate, S.R.No.18030

+1cc to Mr.Benoy Augustine, Advocate, S.R.No.17163

Vba (CO)
Kak (28/03/2019)

Tr.CMP.No.935 of 2018
and
Tr.CMP.No.843 of 2018



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