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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.07.2019

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

Tr.C.M.P.No.929 of 2018

Devi @ Devi Gopi

..Petitioner

-vs-

V.Gopi

..Respondent

Transfer Civil Miscellaneous Petition filed under Section 24 of the Code of Civil Procedure to pass an order to withdraw the H.M.O.P.No.169 of 2018 on the file of the learned Subordinate Judge at Ranipet and to transfer the same to the learned Principal Judge, Family Court at Chennai.

For Petitioner :: Mr.S.Madhusudanan

For Respondent :: Mr.E.Aadith Vijay

ORDER

This transfer civil miscellaneous petition has been filed by Mrs.Devi alias Devi Gopi, Wife of Mr.V.Gopi, the respondent herein seeking an order to withdraw the H.M.O.P.No.169 of 2018 pending on the file of the Sub Court, Ranipet and to transfer the same to the Principal Family Court at Chennai, on the ground that the petitioner is working at Chennai and resides in Tambaram along with her daughter and son aged about 21 years and 16 years respectively.

2. It is at this stage, learned counsel for the respondent stated that when the petitioner has given the residential address at Tambaram, the transfer should have been sought only to the Sub Court at Tambaram and she cannot ask for transfer of the case to the Court at Chennai which has no jurisdiction. However, modifying his prayer, the learned counsel for the petitioner stated that only for the convenience of both parties, the prayer has been couched. As the learned counsel for the respondent is very particular about the transfer to the Sub Court at Tambaram, he has no objection for such transfer.

3. In view thereof, the H.M.O.P.No.169 of 2018 filed by the respondent under Section 13(1)(ia) of the Hindu Marriage Act



seeking a decree for dissolution of marriage is withdrawn from the Sub Court, Ranipet and transferred to the Sub Court, Tambaram for expeditious disposal on merits. Both the parties are directed to co-operate with the Court below for the expeditious disposal. Accordingly, the transfer civil miscellaneous petition stands disposed of. Consequently, C.M.P.No.23014 of 2018 is closed.

Sd/-
Assistant Registrar(J)

//True Copy//

Sub Assistant Registrar

ss

To

1. The Subordinate Judge
Ranipet
2. The Subordinate Judge
Tambaram.

+1cc to Mr.S.Madhusudanan, Advocate, S.R.No.63795

Tr.C.M.P.No.929 of 2018

RRS (30/08/2019)