

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 22.03.2019

CORAM

THE HONOURABLE MR.JUSTICE M.GOVINDARAJ

Tr.C.M.P.No.945 of 2018 &
CMP.No.23353 of 2018

Mrs. J. Catheriene

.. Petitioner

-vs-

Mr.S. Jaiganesh

.. Respondent

Prayer:Transfer Civil Miscellaneous Petition filed under Section 24 of CPC praying to withdraw the FCSMOP.No.7 of 2018 pending before the Family Court at Chengalpattu and Transfer the same to the file of any of the Family Court at Chennai.

For Petitioner : Mr.M. Jaikumar

For Respondent : Mr.S. Stalin Raja

ORDER

This petition is filed by the petitioner wife seeking to withdraw the FCSMOP.No.7 of 2018 pending before the Family Court at Chengalpattu and transfer the same to the file of any of the Family Court at Chennai.

2. The wife is the petitioner before this Court. The respondent husband has filed a petition for dissolution of marriage in FCSMOP.No.7 of 2018 before the Family Court, Chengalpattu.

3. It is the contention of the petitioner wife that the respondent husband on previous occasions filed O.P.No.703 of 2008, OP.No 788 of 2009, OP.No.3995 of 2011 and OP. No.56 of 2015 before the Family Court Chennai and withdrew all. After withdrawing all the above petitions, the respondent husband has now filed the above fifth petition for divorce before the Family Court at Chengalpattu. Since both the parties are residing within the jurisdiction of Chennai, the respondent wife

seeks transfer of the 5th petition filed by the respondent husband before the Family Court, Chengalpattu to Family Court, Chennai.

4. Considering the facts and circumstances of the case, I am inclined to transfer the petition for dissolution of marriage filed by the respondent husband from Family Court, Chengalpattu to Family Court, Chennai.

5. Accordingly, FCSMOP.No.7 of 2018 pending on the file of the Family Court, Chengalpattu is withdrawn and transferred to Principal Judge, Family Court, Chennai. The Family Court, Chengalpattu is directed to transfer forthwith the bundle with regard to FCSMOP. No.7 of 2018 to Principal Judge, Family Court, Chennai.

6. The Transfer CMP is allowed accordingly. No costs. Consequently, the connected C.M.P.No.23353 of 2018 is closed.

msr

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

To
1.The Judge,
Family Court,
Chengalpattu.

2.The Principal Judge,
Family Court,
Chennai.

Tr.C.M.P.No.945 of 2018 &
&
CMP.No.23353 of 2018

Kak (27/06/2019)

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