



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 15.11.2019
CORAM :

THE HONOURABLE MS.JUSTICE P.T.ASHA

Tr.C.M.P (MD)No.378 of 2019

and

C.M.P. (MD) No.8652 of 2019

Sathya

... Petitioner/Respondent

Vs.

Surya

... Respondent/Petitioner

PRAYER: Transfer Civil Miscellaneous Petition is filed under Section 24 of Civil Procedure Code to withdraw the case in H.M.O.P.No.83 of 2019 on the file of the Sub-Court, Aruppukkottai and transfer the same to the learned Family Court, Chennai.

For Petitioner : Mr.M.Senthil Ayyanar
For Respondent : M/s.L.Shaji Chellan

ORDER

This Transfer Civil Miscellaneous Petition is filed by the petitioner/wife seeking transfer of the case in H.M.O.P.No.83 of 2019 filed by the respondent/husband on the file of the file of the Subordinate Court, Aruppukkottai, to the file of the Family Court, Chennai.

2.The learned counsel for the respondent/husband on instruction has no objection to the said transfer, but however, he would submit that the Family Court at Chennai does not have the jurisdiction to consider the proceedings for divorce and it is only the Subordinate Court, Thambaram that would have the jurisdiction to consider the case and he has no objection for the matter being transferred to the Subordinate Court, Thambaram.

3. The learned counsel for the petitioner has also no objection to the same.

4. Considering the above, this Court is inclined to issue the following direction:

- i) The learned Subordinate Judge, Aruppukkottai, is directed to transmit the entire records in H.M.O.P.No.83 of 2019 to the file of the learned Subordinate Judge, Thambaram, within a period of two weeks from the date of receipt of a copy of this order.



ii) the learned Subordinate Judge, Tambaram, after obtaining the records on transfer, is directed to dispose of H.M.O.P.No.83 of 2019 as expeditiously as possible in accordance with law.

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5. In the result, this transfer civil miscellaneous petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar

// True Copy //

Sub Assistant Registrar(CS)

pm

To

- 1.The Subordiante Judge, Aruppukkottai.
- 2.The Subordinate Judge, Tambaram.

+1 CC to Mr.L.SHAJICHELLAN, Advocate (SR-98943[F] dated 18/11/2019)
+1 CC to Mr.M. SENTHIL AYYANAR, Advocate (SR-99196[F] dated 18/11/2019)

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