

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.10.2020

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

Tr.C.M.P.Nos.21 and 128 of 2020 and
CMP.Nos.516 and 4231/2020

Tr.CMP.No.21/2020 :
S.Kalaiselvi

..Petitioner

-vs-

R.Dhayanandan

..Respondent

Transfer Civil Miscellaneous Petition filed under Section 24 of the Civil Procedure Code, to withdraw the H.M.O.P.No.3152/2019 on the file of the learned V Additional Judge, Family Court, Chennai and transfer the same to be tried along with HMOP.No.232/2019 on the file of the learned Family Court Judge, Salem.

For Petitioner :: Ms.S.Meenakshi

For Respondent :: Mr.N.Vijaya Basker
for M/s.Law Vision
Mrs.V.Sharatha Devi,
Government Advocate,
(Crl. Side)

Tr.CMP.No.128/2020 :

R.Dhayanandan

..Petitioner

-vs-

S.Kalaiselvi

..Respondent

Transfer Civil Miscellaneous Petition filed under Section 24 of the Civil Procedure Code, to withdraw the H.M.O.P.No.232/2019 on the file of the learned Family Court Judge, Salem and transfer the same to the file of the V Additional Judge, Family Court, Chennai to be tried along with HMOP.No.3152/2019.

For Petitioner :: Mr.N.Vijaya Basker
for M/s.Law Vision

For Respondent :: Ms.S.Meenakshi
Mrs.V.Sharatha Devi,
Government Advocate,
(Crl. Side)

COMMON ORDER

The matters were taken up through video conferencing due to the Covid-19 pandemic.

2. For the sake of convenience, the parties were hereinafter referred to as the husband and the wife.

3. The wife has filed Transfer Civil Miscellaneous Petition in Tr.CM.P.No.21/2020 seeking to withdraw H.M.O.P.No.3152/2019, filed by the husband on the file of the learned V Additional Judge, Family Court, Chennai, and transfer the same to be tried along with HMOP.No.232/2019 on the file of the learned Family Court Judge, Salem, filed by her whereas the husband has filed Tr.CMP.No.128/2020 seeking to withdraw the H.M.O.P.No.232/2019 on the file of the learned Family Court Judge, Salem and transfer the same to the file of the V Additional Judge, Family Court, Chennai to be tried along with HMOP.No.3152/2019.

4. When both the matters were called today, learned Counsel for the wife as well as learned Counsel for the husband jointly submitted that the wife unfortunately passed away on 13.07.2020. Therefore, nothing survives in this matter.

5. However, the learned Counsel for the husband made a request that on an earlier occasion, a direction was issued by this Court to the police to file a report with regard to the employment of the wife and the same may be furnished to the husband.

6. In this regard, Mrs.V.Sharatha Devi, Government Advocate (Crl. Side) states that as per the direction of this Court dated 28.02.2020, one Mr.Rajaram attached to Virugambakkam Police Station went to Bangalore to collect the employment information about the wife and it is found that at present, she is not working in Fidelity Investments, Bangalore, but, working in Indicom Business Services Private Limited, Salem. Anyhow, now it is found that the wife is no more.

7. Recording the statement made by the learned Counsel for the wife as well as the learned Counsel for the husband and also the Government Advocate (Crl. Side) that the wife is no more, the Transfer Civil Miscellaneous Petitions are dismissed as infructuous since nothing survives for adjudication. Consequently, connected Miscellaneous Petitions are closed.

8. Learned Government Advocate (Crl. Side) shall ensure the issuance of a copy of the report of the Virugambakkam Police Station to the husband R.Dhayenandan.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

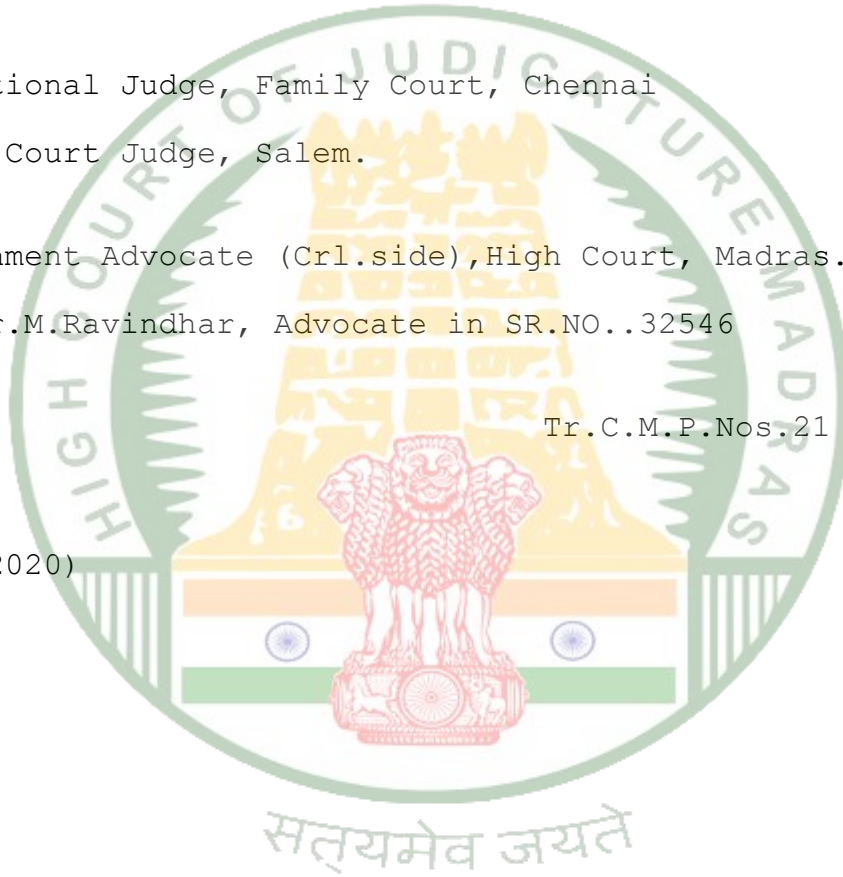
1. V Additional Judge, Family Court, Chennai
2. Family Court Judge, Salem.

Copy to
The Government Advocate (Crl.side), High Court, Madras.

+1cc to Mr.M.Ravindhar, Advocate in SR.NO..32546

Tr.C.M.P.Nos.21 & 128/ 2020

CP(CO)
RV(16/10/2020)



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