

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.08.2020

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

Tr.C.M.P.No.224 of 2020

R.Kamatchi

..Petitioner/Respondent

-vs-

Selvaprabu
S/o Eswaran

..Respondent

Transfer Civil Miscellaneous Petition filed under Section 24 of the Civil Procedure Code, to withdraw the H.M.O.P.No.12 of 2020 pending on the file of the Family Court, Namakkal and transfer the same to the III Additional Family Court at Chennai, to be tried along with H.M.O.P.No.782 of 2020.

For Petitioner :: Mr.K.Livingston
For Respondent :: Mr.E.P.Senniyangiri

ORDER

Heard learned counsel for the parties through video conferencing due to the Covid-19 pandemic.

2. Mrs.R.Kamatchi, the petitioner, Wife of Mr.Selvaprabu, the respondent herein has filed this transfer civil miscellaneous petition seeking an order to withdraw the H.M.O.P.No.12 of 2020 pending on the file of the Family Court, Namakkal and transfer the same to the III Additional Family Court at Chennai, to be tried along with H.M.O.P.No.782 of 2020 seeking restitution of conjugal rights.

2. Learned counsel appearing for the petitioner submitted that after the solemnization of marriage on 22.4.2018 at Asaldeepaswaram Temple, Namakkal as per the Hindu rites and customs, the parties were living together. But no issues were born out of the wedlock. However, due to strained relationship, the petitioner came to her parental home and presently residing at No.30/2, Second Main Road, Tiruvalluvar Nagar, Kodungaiyur, Chennai with her father. In the meanwhile, the respondent has filed H.M.O.P.No.12 of 2020 on the file of the Family Court, Namakkal seeking dissolution of marriage on the ground of cruelty. Since the respondent is also working as Lead Manager in

HCL Technologies Limited at Chennai, the H.M.O.P.No.12 of 2020 can be transferred, so that both the matters can be tried and disposed of jointly.

3. Mr.E.P.Senniyangiri, learned counsel appearing for the respondent also stated that his client has no objection for allowing the prayer of the petitioner. He has also stated that though he has not filed the counter affidavit, he has got instructions to appear in this matter.

4. Therefore, based on the consent given by the learned counsel appearing for the respondent, the transfer civil miscellaneous petition stands allowed and the H.M.O.P.No.12 of 2020 is withdrawn from the file of the Family Court, Namakkal and transferred to the file of the III Additional Family Court at Chennai for an expeditious disposal on merits, along with H.M.O.P.No.782 of 2020. Consequently, C.M.P.No.6697 of 2020 is closed.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

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To

1. The Family Court Judge
Namakkal

2. The III Additional Family Court Judge
Chennai

+1 cc to M/s.Samantha and ston ,Advocate Sr.No. 27054

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PVS (CO)
RMP (03/09/2020)

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