

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.07.2020

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

Tr.C.M.P.Nos.914 & 991 of 2019

S.Karthik .. Petitioner in Tr.CMP No.914 of 2019
L.Varshini .. Petitioner in Tr.CMP No.991 of 2019

-vs-

L.Varshini .. Respondent in Tr.CMP No.914/ 2019
S.Karthik .. Respondent in Tr.CMP No.991/ 2019

Transfer Civil Miscellaneous Petition No.914 of 2019 is filed under Section 24 of the Civil Procedure Code, to withdraw the H.M.O.P.No.3820 of 2019 on the file of the First Additional Family Court, Chennai and transfer the same to the Sub Court at Ponneri.

Transfer Civil Miscellaneous Petition No.991 of 2019 is filed under Section 24 of the Civil Procedure Code, to withdraw the H.M.O.P.No.200 of 2019 on the file of the Sub Court, Ponneri and transfer the same to the First Additional Family Court, Chennai.

For Petitioner(s) :: Mr.S.Sai Shankar
in Tr.CMP No.914/19
Mr.D.Magesh Kumar in
Tr.CMP No.991/19

For Respondent(s) :: Mr.D.Magesh Kumar
in Tr.CMP No.914/19
Mr.S.Sai Shankar
in Tr.CMP No.991/19

COMMON ORDER

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

2. Mr.S.Karthik, the petitioner in Tr.C.M.P.No.914 of 2019, seeks for withdrawal of the H.M.O.P.No.3820 of 2019 from the file of the First Additional Family Court, Chennai and transfer the same to the Sub Court at Ponneri. Similarly, Mrs.L.Varshini, the petitioner in Tr.C.M.P.No.991 of 2019, seeks for withdrawal

of the H.M.O.P.No.200 of 2019 from the file of the Sub Court, Ponneri and transfer the same to the First Additional Family Court at Chennai. For convenience, the parties will be hereinafter referred to as the 'Husband' and 'Wife' in this order. However, for narration of the admitted facts as to the dispute that has arisen between the parties, it may be mentioned herein that the Husband has filed H.M.O.P.No.200 of 2019 on the file of the Sub Court, Ponneri seeking for divorce and the Wife has filed H.M.O.P.No.3820 of 2019 on the file of the First Additional Family Court, Chennai seeking for restitution of conjugal rights.

3. When the transfer civil miscellaneous petitions were taken up today after service of notice on the parties, learned counsel appearing for the Husband fairly submitted that his client is accepting the prayer made by the Wife for transfer of the H.M.O.P.No.200 of 2019 from the Sub Court, Ponneri to the file of the First Additional Family Court, Chennai.

4. Accordingly, recording the statement made by the learned counsel appearing for the Husband as to the acceptance of the prayer made by the Wife, Tr.C.M.P.No.991 of 2019 stands allowed and the H.M.O.P.No.200 of 2019 is withdrawn from the file of the Sub Court, Ponneri and transferred to the file of First Additional Family Court, Chennai for disposal on merits. In view of the said order, Tr.C.M.P.No.914 of 2019 stands dismissed. Consequently, C.M.P.Nos.24905 & 26480 of 2019 are closed.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

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To

1. The Subordinate Judge
Ponneri
2. The First Additional Judge Family Court
Chennai

Tr.C.M.P.Nos.914 & 991 of 2019

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