



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.11.2021

CORAM:

THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN

Tr.CMP.No.612 of 2021
and
CMP.No.15407 of 2021

Pandiarajan

..Petitioner

Vs.

Priyadharshini

..Respondent

Prayer: Transfer civil miscellaneous petition filed under Section 24 of C.P.C., seeking to withdraw FCOP.No.50 of 2021 on the file of the Family Court, Chengalpattu and transfer the same to Chennai to be tried along with OP.No.5139 of 2019 on the file of the VII-Additional Family Court, Chennai.

For Petitioner : Mr.S.Sathya Chandran

O R D E R

The petitioner / husband seeks transfer of FCOP.No.50 of 2021 on the file of the Family Court, Chengalpattu to the VII-Additional Family Court, Chennai to be tried along with OP.No.5139 of 2019.

2.I have heard Mr.S.Sathya Chandran, learned counsel appearing for the petitioner. The respondent / wife though served, is not appearing either in person or through counsel, duly instructed.

3.It is seen from the records that the husband had filed HMOP.No.5139 of 2019 seeking divorce on 10.04.2019 and the same is pending before the VII-Additional Family Court at Chennai. The wife has also filed a counter along with the counter claim seeking dissolution of the marriage. The said counter claim is filed on 17.04.2021 thereafter, the wife had gone ahead and filed FCOP.No.50 of 2021 before the Family Court at Chengalpattu



seeking divorce. As rightly pointed out by the learned counsel for the petitioner, launching of proceedings in the Family Court, Chengalpattu appear to be a counter blast and it is only a tool of harassment.

WEB COPY

4. In view of the same, this transfer civil miscellaneous petition is allowed, FCOP.No.50 of 2021 on the file of the Family court, Chengalpattu is withdrawn and transferred to VII-Additional Family Court, Chennai to be tried and disposed of along with OP.No.5139 of 2019 pending on its file. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS-V)

//True Copy//

Sub Assistant Registrar

kkn

To:-

1. The VII - Additional Judge,
Family Court,
Chennai.
2. The Family Court,
Chengalpattu.

+1cc to M/s.Sathia Chandran, Advocate, S.R.No.60737

Tr.CMP.No.612 of 2021
and
CMP.No.15407 of 2021

SJ(CO)
SU(07/12/2021)