

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.01.2021

CORAM

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

Tr.C.M.P.No.746 of 2019
and
C.M.P.No.20897 of 2019

N.Palani

.. Petitioner

vs.

S.Saritha

.. Respondent

PRAYER : Transfer CMP is filed under Section 24(b)(1) of the Civil Procedure Code, to pass an order, withdrawing the proceedings in HMOP.No.53 of 2019 now pending on the file of Sub-Court at Ranipet and transferring the same to the file of Family Court at Vellore.

For Petitioner : M/s.R.K.Sekina Reshma

For Respondent : Mr.R.Siddharth

O R D E R

The petition for transfer is filed to transfer HMOP.No.53 of 2019 from Sub-Court, Ranipet to the Family Court, Vellore.

2. The husband is the petitioner and seeks a relief of transfer to transfer H.M.O.P.No.53 of 2019 from Sub Court, Ranipet to the Family Court, Vellore. The marriage between the petitioner and the respondent was solemnized as per Hindu Rites and Customs. The respondent filed H.M.O.P.No.53 of 2019 for restitution of conjugal rights.

3. The learned counsel for the respondent states that H.M.O.P.155 of 2019 filed by the petitioner/husband is pending before the Family Court, at Vellore. The learned counsel for the respondent further states that the respondent is unemployed and she is the resident of Ranipet and now residing along with her parents.

4. However, the H.M.O.P.No.155 of 2019 filed by the petitioner is now pending before the Family Court at Vellore. Thus, both the cases are to be heard together in order to avoid

inconsistency, while disposing of the matter.

5. In view of the facts and circumstances, H.M.O.P.No.155 of 2019 pending before the Family Court at Vellore stands transferred to the Sub Court, Ranipet to be tried along with H.M.O.P.No.53 of 2019.

6. Accordingly, this Transfer Civil Miscellaneous Petition No.746 of 2019 stands disposed of and H.M.O.P.No.155 of 2019 pending on the file of the Family Court, Vellore is directed to be transferred to the Sub Court, Ranipet, to be tried along with H.M.O.P.No.53 of 2019. However, there shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

Kak

To

- 1.The Judge,
Family Court,
Vellore.
- 2.The Judge,
Subordinate Court,
Ranipet.

+1cc to Mr.R.Siddharth, Advocate, S.R.No. 4854

Tr.CMP No.746 of 2019

MP (CO)
GN (23/02/2021)

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