



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.04.2022

CORAM

THE HONOURABLE MS.JUSTICE P.T.ASHA

TR.C.M.P.NOS.185 & 220 OF 2022

&

C.M.P.NOS.3736 & 4509 OF 2022

TR.C.M.P.NO.185 OF 2022

Dr.K.R.Padmanabhan

... Petitioner

.Vs.

Dr.Sharmeela

... Respondent

PRAYER:-

The petition is filed under Section 24 of the Code of Civil Procedure to withdraw H.M.O.P.No.1373 of 2020 on the file of the IV Additional Family Court, Chennai and transfer the same to the Family Court, Chengalpattu.

For Petitioner : Mr.R.Rajarajan

For Respondent : Mr.S.Saravanakumar

TR.C.M.P.NO.220 OF 2022

Dr.Sharmeela

... Petitioner

.Vs.

Dr.K.R.Padmanabhan

... Respondent

PRAYER:-

The petition is filed under Section 24 of the Code of Civil Procedure to withdraw F.C.O.P.No.127 of 2021 pending on the file of the Family Court, Chengalpattu to the file of the IV Additional Family Court, Chennai and tried along with the petition in H.M.O.P.No.1373 of 2020.



For Petitioner : Mr.S.Saravanakumar

For Respondent : Mr.R.Rajarajan

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COMMON ORDER

Tr.C.M.P.No.185 of 2022 is filed by the husband seeking transfer of H.M.O.P.No.1373 of 2020 on the file of the IV Additional Family Court, Chennai to the Family Court, Chengalpattu. Tr.C.M.P.No.220 of 2022 is filed by the wife seeking transfer of F.C.O.P.No.127 of 2021 pending on the file of the Family Court, Chengalpattu to the file of the IV Additional Family Court, Chennai to be tried along with the petition in H.M.O.P.No.1373 of 2020

2. The wife has filed the petition in H.M.O.P.No.1373 of 2020 seeking divorce on the file of the IV Additional Family Court, Chennai. The husband has filed F.C.O.P.No.127 of 2021 for restitution of conjugal rights before the Family Court, Chengalpattu.

3. It is seen that the husband has filed the petition for restitution of conjugal rights only after he had filed a counter to the petition filed by the wife. Therefore, he had been originally attending the proceedings before the IV Additional Family Court, Chennai.

4. Considering the fact that the wife is residing at Chennai and also taking into account the fact that the husband has been contesting the petition filed by the wife before the IV Additional Family Court, Chennai, the petition filed by the husband in F.C.O.P.No.127 of 2021 on the file of the Family Court, Chengalpattu is withdrawn and transferred to the file of the IV Additional Family Court, Chennai to be tried along with H.M.O.P.No.1373 of 2020.

5. In the result, the Transfer Civil Miscellaneous Petition in Tr.C.M.P.No.220 of 2022 is allowed and Tr.C.M.P.No.185 of 2022 is dismissed. Consequently, connected Civil Miscellaneous Petitions are closed. No costs.

Sd/-

Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

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To

1. The Family Court,
Chengalpattu.

2. The IV Additional Family Court,
Chennai.

+2ccs to Mr.S.Saravanakumar, Advocate, S.R.Nos.26805 & 26806
+1cc to Mr.R.Rajarajan, Advocate, S.R.No.27375

TR.C.M.P.NOS.185 & 220 OF 2022

AJB (CO)
PBS/13/05/2022