



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.04.2022

CORAM

THE HONOURABLE Ms. JUSTICE P.T. ASHA

Tr.C.M.P.No.262 of 2022

&

C.M.P.No.5170 of 2022

J.N.Jayashree

... Petitioner/Respondent

Vs

S.Naveen Kumar

... Respondent/Petitioner

Prayer: The petition is filed under Section 24 of the Code of Civil Procedure to withdraw H.M.O.P.No.5 of 2022 on the file of the Subordinate Court, Ranipet and transfer the same to the file of the I Additional Principal Family Court, Chennai to be tried along with O.P.No.905 of 2022.

For Petitioner : Mr.N.Kalidoss

For Respondent : Mr.G.Balamanikandan

ORDER

The above petition is filed by the wife seeking transfer of H.M.O.P.No.5 of 2022 filed by the husband for dissolution of marriage on the file of the Subordinate Court, Ranipet to the file of the I Additional Principal Family Court, Chennai to be tried along with O.P.No.905 of 2022.

2. The petitioner would submit that she is residing at Chennai along with her parents. The petitioner would state that she is unemployed and the respondent has never cared to maintain her. The petitioner would further submit that the petition for divorce filed by her is pending on the file of the I Additional Principal Family Court, Chennai. Therefore, the petition filed by the husband may be transferred to the file of the I Additional Principal Family Court, Chennai.



3. Heard the learned counsels and perused the records.

4. Admittedly, the petitioner is residing at Chennai, which confers Jurisdiction to the I Additional Principal Family Court, Chennai. Further, the petition filed by the wife is also pending on the file of the I Additional Principal Family Court, Chennai.

5. Considering the above and also taking into account the fact that the respondent husband is not maintaining his wife, the Transfer Civil Miscellaneous Petition is allowed. Accordingly, H.M.O.P.No.5 of 2022 pending on the file of the Subordinate Court, Ranipet is withdrawn and transferred to the file of the I Additional Principal Family Court, Chennai to be tried along with O.P.No.905 of 2022. Consequently, connected Civil Miscellaneous Petition is closed. No costs.

Sd/-
Assistant Registrar (CS-IV)

//True Copy//

Sub Assistant Registrar

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To

1. The Subordinate Court,
Ranipet.
2. The Judge,
The I Additional Principal Family Court,
Chennai.

+1cc to Mr.G.Balamanikandan, Advocate, S.R.No.29470

+1cc to Mr.N.Kalidoss, Advocate, Sr.No.29496 (08/06/2022)

Tr.C.M.P.No.262 of 2022

MG (CO)
SU (23/05/2022)