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Tr.C.M.P.No.857 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.07.2022

CORAM:

**THE HONOURABLE MRS.JUSTICE S. KANNAMMAL**

Tr.C.M.P.No.857 of 2021

and

C.M.P.No.19361 of 2021

P.Kalaiarasi

... Petitioner

Versus

N.Mohanraj

... Respondent

This Petition filed under Section 24 of the Code of Civil Procedure, praying to withdraw the H.M.O.P.No.171 of 2020 on the file of the Principal Sub-Court, Ponneri and to transfer the file of Family Court, Chennai.

For Petitioner : Mr.B.Singaravelu

For Respondent : Mr.R.Bhagawat Krishna

ORDER

The present Transfer Civil Miscellaneous Petition is filed to withdraw H.M.O.P.No.171 of 2020 from the file of the Principal Sub-Court, Ponneri and to transfer it to the file of Family Court, Chennai.

2. The respondent/husband has filed H.M.O.P.No.171 of 2020 before the Principal Sub-Court, Ponneri for divorce.



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3. The learned counsel appearing for the petitioner has filed a memo on behalf of the petitioner dated 04.07.2022 before this Court, which reads as follows:

*“1.The petitioner submits that she had filed transfer petition to transfer the Divorce case filed by the respondent on the file of Principal Subordinate Court, Ponneri in H.M.O.P.No.171 of 2020 before this Hon'ble High Court in TR.C.M.P.No.857 of 2022 and the same came up for admission before this Hon'ble Court on 12.01.2022 and interim stay has been granted until further orders.*

*2.The Petitioner submits that while transfer petition pending before this Hon'ble High Court, the divorce case filed by the respondent in H.M.O.P.No.171 of 2020 on the file of Principal Sub-ordinate Court, Ponneri was transferred to Sub-Court, Tiruvottiyur on inauguration of new Sub-Court in H.M.O.P.No.143 of 2022 on 09.03.2022. Hence this H.M.O.P.No.143 of 2022 on the file of Sub-Court, Tiruvottiyur has to be transferred to family Court in Chennai.*

*3.For the reasons stated above, it is humbly prayed that this Hon'ble court may pleased to record the memo filed by the petitioner herein to transfer the present H.M.O.P.No.143 of 2022 pending on the file of Sub-Court, Tiruvottiyur to Family Court, at Chennai and to pass such other order or further orders as this Hon'ble Court may deem fit and proper in the circumstances of the case and thus render justice.”*

4. The learned counsel for the respondent submitted that he has no objection to allow this petition.



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5. Recording the memo filed by the learned counsel appearing for the petitioner, this Court is inclined to transfer H.M.O.P.No.143 of 2022 filed by the respondent/husband pending on the file of Sub-Court, Tiruvottiyur to Family Court, at Chennai.

6. Accordingly, this Transfer Civil Miscellaneous Petition is allowed. Consequently, H.M.O.P.No.143 of 2022 is ordered to be withdrawn from the file of Sub-Court, Tiruvottiyur and transferred to the file of the Family Court at Chennai for disposal as per law. The learned Judge, Sub-Court, Tiruvottiyur is directed to transmit the papers to the file of the Family Court, Chennai, forthwith. The Family Court, Chennai, is directed to dispose of the case in H.M.O.P.No.143 of 2022 on merits and in accordance with law as expeditiously as possible. No costs. Consequently, connected miscellaneous petition is closed.

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05.07.2022

Index: Yes/No

Internet: Yes/No



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**S.KANNAMMAL, J.**

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To

- 1.The Judge,  
Sub-Court, Tiruvottiyur.
- 2.The Judge,  
Family Court, Chennai.

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05.07.2022