

CASE NO.:
Transfer Petition (civil) 1013 of 2006

PETITIONER:
Meenakshi

RESPONDENT:
A.Shanmugam

DATE OF JUDGMENT: 05/10/2007

BENCH:
Tarun Chatterjee & R.V.Raveendran

JUDGMENT:
JUDGMENT

O R D E R
TRANSFER PETITION) NO.1013 OF 2006

TARUN CHATTERJEE, J.

This is an application filed at the instance of the wife-petitioner under Section 25 of the Code of Civil Procedure to transfer the divorce petition viz. M.C.No.1744 of 2006 filed by the husband-opposite party in the Family Court, Bangalore, Karnataka to the Subordinate Court, Mettur in the State of Tamil Nadu where the Matrimonial Petition being H.M.O.P.No.8 of 2006 filed by the wife-petitioner prior to the filing of the divorce petition in the Family Court, Bangalore, Karnataka is pending. Considering the fact that the suit filed by the wife was filed prior to the filing of the divorce petition by the husband at Bangalore and that both the suits must be heard by one court analogously, we transfer the divorce petition viz. M.C.No.1744 of 2006 pending in the Family Court, Bangalore, Karnataka to the Subordinate Judge, Mettur in the State of Tamil Nadu where the Matrimonial Petition being H.M.O.P.No.8 of 2006 filed by the wife-petitioner is now pending. Accordingly, the learned Family Court, Bangalore is directed to transmit the records relating to the divorce proceedings being M.C.No.1744 of 2006 to the Subordinate Court at Mettur, Tamil Nadu at an early date. The learned Subordinate Judge Mettur is directed to dispose of the suits analogously as early as possible preferably within a period of one year from the date of transmitting the record of the divorce petition from Bangalore to Mettur. The Transfer Petition is thus disposed of. There will be no order as to costs.