

IN THE SUPREME COURT OF INDIA
CIVIL ORIGINAL JURISDICTION

TRANSFER PETITION © NO.1013 OF 2006

Meenakshi
Appellant

...

Versus

A. Shanmugam
...Respondent

ORDER

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.

J.

.....
[Tarun Chatterjee]

New Delhi;
October 5, 2007.
ITEM NO.52

COURT NO.9

.....J.
[R.V.Raveendran]
SECTION XVIA

SUPREME COURT OF INDIA
RECORD OF PROCEEDINGS

TRANSFER PETITION (CIVIL.) NO(s). 1013 OF 2006

MEENAKSHI

Petitioner(s)

VERSUS

A. SHANMUGAM

Respondent(s)

(With appln(s) for stay and office report)
(For orders)

Date: 05/10/2007 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE TARUN CHATTERJEE
HON'BLE MR. JUSTICE DALVEER BHANDARI

For Petitioner(s)

Mr. R. Nedumaran, Adv.

For Respondent(s)

UPON hearing counsel the Court made the following
ORDER

Hon'ble Mr. Justice Tarun Chatterjee pronounced the Order of the Bench
comprising His Lordship and Hon'ble Mr. Justice R.V. Raveendran.

The Transfer Petition is disposed of in terms of the signed order.

There will be no order as to costs.

(Satish K. Yadav)
Court Master

(R.K. Kumar)
Court Master

(Signed Order is placed on the file)