

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:19-3-2015

CORAM

THE HONOURABLE MR.JUSTICE N.KIRUBAKARAN

Tr.CMP.No.696 of 2014

Mrs.Vallikannu

... Petitioner

Versus

Mr.C.Muthuvalliappan

... Respondent

This petition is filed under Section 24 of C.P.C. to transfer the H.M.O.P.No.79 of 2014 on the file of Sub Court at Sivagangai to Family Court, Coimbatore.

For Petitioner : Mr.K.Rajasekaran

ORDER

The wife has come before this Court seeking transfer of the petition filed by the respondent/husband for restitution of conjugal rights in H.M.O.P.No.79 of 2014 from the file of Sub Court Sivagangai Court to the file of Family Court, Coimbatore where H.M.O.P.No.1055 of 2014 filed by the wife for divorce is pending.

2. Though the respondent was served with the notice and his name appears in the cause list, no one enters appearance. Therefore, this court proceeds to decide the matter on merits.

3. Since the petitioner already filed H.M.O.P.No.1055 of 2014 before the Family Court, Coimbatore for divorce and subsequently the respondent husband filed H.M.O.P.No.79 of 2014 before the Sub-Court, Sivagangai for restitution of conjugal rights, taking into consideration of the distance of 300 kilometres between the two places, it is very difficult for the petitioner to go along with her child to Sub-Court Sivagangai to attend the case.

4. In view of that, H.M.O.P.No.79 of 2014 pending on the file of the Sub Court, Sivagangai is transferred to the file of Family Court, Coimbatore to try along with the H.M.O.P.No.1055 of 2014 pending on its file. The Family Court, Coimbatore is directed to dispose of both the matters together at the earliest possible.

5. The petition is ordered. No costs. Consequently the connected M.P.No.1 of 2014 is closed.

Sd/-

Assistant Registrar

True Copy

Sub Assistant Registrar

To

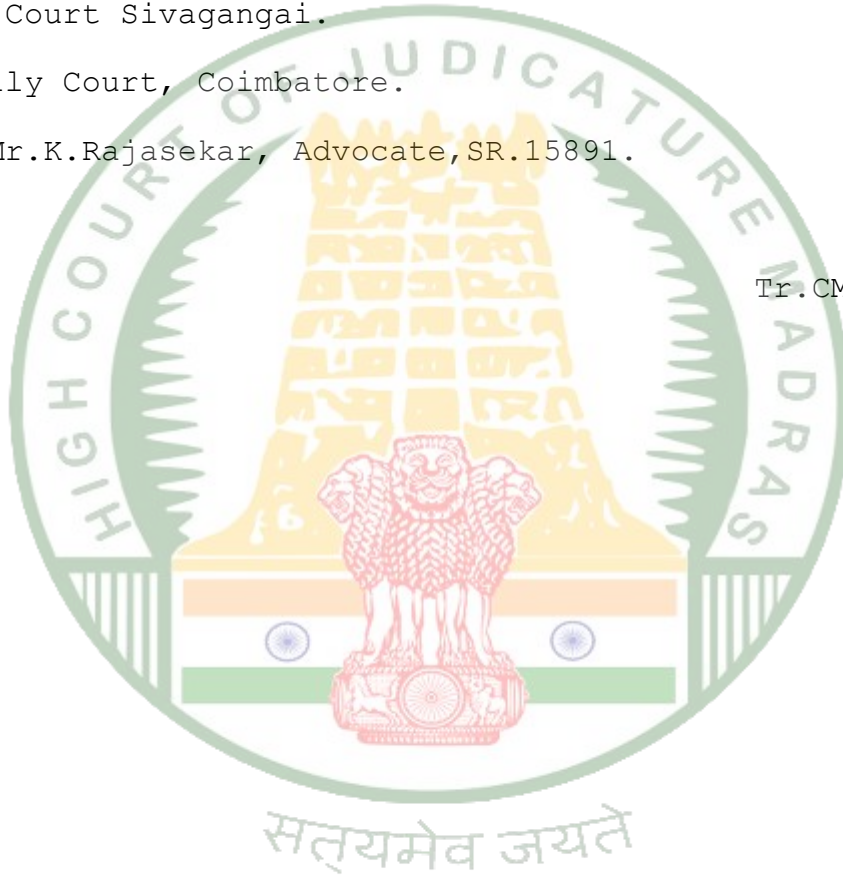
1.The Sub Court Sivagangai.

2.The Family Court, Coimbatore.

+1 cc to Mr.K.Rajasekar, Advocate, SR.15891.

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