

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.09.2015

CORAM

THE HONOURABLE THIRU JUSTICE D.HARIPARANTHAMAN

Tr.C.M.P.No.700 of 2014 &
M.P.No.1 of 2014

Kavitha

...Petitioner/respondent

Thilageswaran

v.

...Respondent/Petitioner

Tr.C.M.P. filed under section 24 of C.P.C., to withdraw H.M.O.P.No.33 of 2014 pending on the file of Sub-Court, Perambalur, Perambalur District and transfer the same for joint trial with R.E.P.No.29 of 2014 in H.M.O.P.No.36 of 2013 pending on the file of the Sub-Court, Thiruchengodu, Namakkal District.

For Petitioner : Mr.V.R.Appaswamee

For Respondent : Mr.A.Sirajudeen

O R D E R

The petitioner is the wife of the respondent. The respondent filed H.M.O.P. No.33 of 2014 on the file of Sub-Court, Perambalur for divorce. While so, the petitioner filed R.E.P.No.29 of 2014 for execution of the order passed in H.M.O.P.No.36 of 2013 on the file of the Sub-Court, Thiruchengodu, Namakkal District. H.M.O.P.No.36 of 2013 was filed by the petitioner for restitution of conjugal rights.

2. The petitioner has filed the above Transfer C.M.P. to withdraw H.M.O.P.No.33 of 2014 from the file of Sub-Court, Perambalur and to transfer the same to the file of Sub-Court, Thiruchengodu, to be tried along with R.E.P.No.29 of 2014 in H.M.O.P.No.36 of 2013.

3. In view of section 19(iii-a) of the Hindu Marriage Act, H.M.O.P. may be tried at the place where the wife resides.

4. In these circumstances, I direct for withdrawal of H.M.O.P.No.33 of 2014 from the file of Sub-Court, Perambalur and to transfer the same to the file of Sub-Court, Thiruchengodu, to be tried along with R.E.P.No.29 of 2014 in H.M.O.P.No.36 of 2013.

The Transfer C.M.P is disposed of accordingly. No costs.
Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(J)

//True Copy//

Sub Assistant Registrar

svki

To

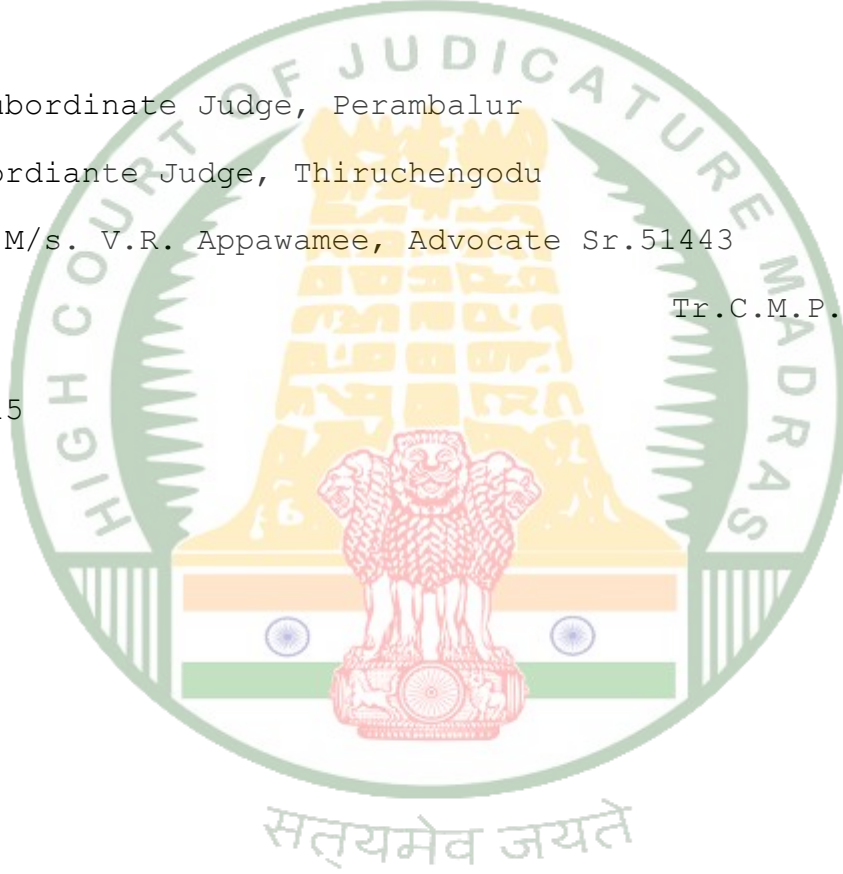
1. The Subordinate Judge, Perambalur

2.The Subordiante Judge, Thiruchengodu

+ 1 cc to M/s. V.R. Appawamee, Advocate Sr.51443

Tr.C.M.P.No.700 of 2014

ALA (CO)
Eu 06.10.15



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