

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 14.07.2015

Coram

The Honourable Mr. Justice N. KIRUBAKARAN

TR.CMP.No.451 of 2015

and

M.P.No.1 of 2015

Ghazala Sultana

.. Petitioner

Vs.

S.Kamaal Kouser

... Respondent

Prayer: This petition has been filed Under Section 24 of the Code of Civil Procedure code to withdraw the Suit in O.S.No.67 of 2015 pending on the file of the Principal District Munsif cum Judicial Magistrate Court, Vaniyampadi and transfer the same to the file of the Additional District Munsif Court, Vaniyampadi.

For Petitioner : Ms.Rajeswari Karthikeyan

M/s FOR AND FAIR ASSOCIATES

O R D E R

The petitioner/wife has come before this Court. She filed O.S.No.67 of 2015 against the respondent for divorce before the Principal District Munsif cum Judicial Magistrate Court, Vaniyampadi to the file of Additional District Munsif Court, Vaniyampadi. The respondent/husband filed O.S.No.56 of 2014 against the petitioner for restitution of conjugal rights, which is pending.

2. Notice was ordered. Though the respondent was served and his name was printed in the cause list, no one entered into appearance. However, the learned counsel appearing for the petitioner brought to the notice of this Court that in Page No.17 of the typed set of the papers in which, the learned counsel appearing for the respondent on 01.07.2015 itself, made an endorsement that "no objection for transfer".

3. In view of the above, the Transfer Civil Miscellaneous Petition is ordered and no prejudice would be caused to the respondent, if both the cases are directed to be disposed of by joint trial.

4. In the result, the Transfer Civil Miscellaneous Petition is disposed of. Consequently, connected Miscellaneous Petition is closed. No costs.

Sd/-
Assistant Registrar

True Copy

Sub Assistant Registrar

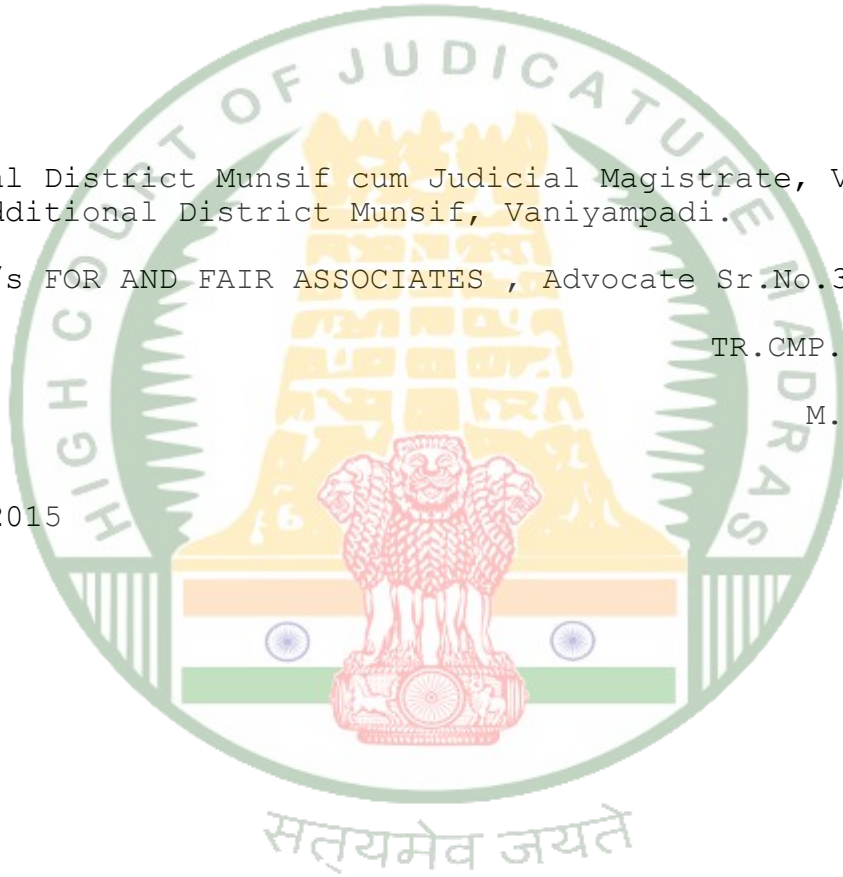
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To

1.Principal District Munsif cum Judicial Magistrate, Vaniyampadi.
2.The Additional District Munsif, Vaniyampadi.

1 cc to M/s FOR AND FAIR ASSOCIATES , Advocate Sr.No.35749

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