

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.08.2016

CORAM

THE HONOURABLE MR.JUSTICE C.T.SELVAM

Transfer Civil Miscellaneous Petition No.8 of 2015
and
M.P.Nos.1 & 2 of 2015

Murugeswari
W/o.N.Kumar

... Petitioner

VS

Kumar
S/o.Nithyanandam

... Respondent

Transfer Civil Miscellaneous Petition filed under Section 24 of the Civil Procedure Code, 1906, praying to withdraw and transfer H.M.O.P.No.110 of 2014 on the file of Sub Court, Palani, to the file of Sub Court, Dharapuram, to be tried along with H.M.O.P.No.78 of 2014.

For Petitioner : Mr.K.Govi Ganesan

For Respondent : No appearance

ORDER

Even though the respondent has been served and the name of the respondent appears in the cause list, the respondent has not chosen to appear before this Court either in person or through a pleader. Hence, the matter is decided on merits.

2. Petitioner has filed the present petition seeking transfer of H.M.O.P.No.110 of 2014 on the file of Sub Court, Palani, to the file of Sub Court, Dharapuram, jointly to be tried with H.M.O.P.No.78 of 2014.

3. Learned counsel for petitioner/wife submits that the petitioner/wife has filed H.M.O.P.No.78 of 2014 on the file of Sub Court, Dharapuram, seeking divorce. Respondent/husband has filed H.M.O.P.No.110 of 2014 on the file of Sub Court, Palani, seeking restitution of conjugal rights. Petitioner is a working woman, she has to take care of her minor children and hence, she finds it difficult to travel to Palani to attending the hearing of the case. Further, as both parties have filed petitions, it would be desirable to have the matters together. Submitting as above, learned counsel prays for transfer.

4. Considering the said submissions, this Court directs transfer of

H.M.O.P.No.110 of 2014 on the file of Sub Court, Palani, to the file of Sub Court, Dharapuram, jointly to be tried with H.M.O.P.No.78 of 2014.

The Transfer Civil Miscellaneous Petition, accordingly, is ordered. No costs. Connected miscellaneous petitions are also closed.

12.08.2016

Index:yes/no,
Internet:yes
gm

To

- 1.The Subordinate Judge,
Hosur.
- 2.The III Additional Sub Judge,
Madurai Camp Sub Court,
Usilampatti.

C.T.SELVAM, J

Transfer Civil Miscellaneous Petition No.8 of 2015

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