

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.06.2016

CORAM

THE HONOURABLE MR.JUSTICE C.T.SELVAM

Transfer Civil Miscellaneous Petition No.198 of 2016
and
C.M.P.Nos.5503 & 5504 of 2016

V.Subbalakshmi
W/o.R.Ranjith Kumar ... Petitioner

vs
R.Ranjith Kumar
S/o.Rathnasamy ... Respondent

Transfer Civil Miscellaneous Petition filed under Section 24 of the Civil Procedure Code, 1906, praying to withdraw H.M.O.P.No.191 of 2016 pending on the file of learned District Judge, Family Court, Coimbatore, Coimbatore District and to transfer the same to the file of learned Subordinate Judge, Hosur, Krishnagiri District.

For Petitioner : Mr.E.Kannadasan

For Respondent : Mr.C.Veeraraghavan

ORDER

Petitioner has filed the present petition seeking transfer of H.M.O.P.No.191 of 2016 pending on the file of learned District Judge, Family Court, Coimbatore, Coimbatore District to the file of learned Subordinate Judge, Hosur, Krishnagiri District.

2. Learned counsel for petitioner submits that the petitioner/wife has filed H.M.O.P.No.31 of 2016 on the file of learned Subordinate Judge, Hosur, Krishnagiri District, seeking divorce and the respondent/husband has filed H.M.O.P.No.191 of 2016 seeking restitution of conjugal rights. Learned counsel submits that it would be desirable to have both the matters tried together and prays of transfer.

3. Learned counsel for respondent submits that transfer of H.M.O.P.No.191 of 2016 would cause the respondent grave inconvenience.

4. Considering the rival submissions and the further position that the petitioner has to take care of her five month old child, this Court is of the view that the petition is to be allowed. Accordingly, this Court directs transfer of H.M.O.P.No.191 of 2016 pending on the file of learned District Judge, Family Court, Coimbatore, Coimbatore District to the file of learned Subordinate Judge, Hosur, Krishnagiri District.

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

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

gm

To

1.The District Judge,
Family Court,
Coimbatore,
Coimbatore District.

2.The Subordinate Judge,
Hosur, Krishnagiri District.

+1cc to Mr.E. Kannadasan, Advocate, S.R.No.30853

Transfer Civil Miscellaneous Petition No.198 of 2016

GJ(CO)
EU(01/07/2016)

WEB COPY