

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.07.2016

CORAM

THE HONOURABLE MR.JUSTICE C.T.SELVAM

Tr.C.M.P.No. 300 of 2016

and

C.M.P.Nos. 8251 & 8252 of 2016

S.P.Aarthy ... Petitioner/Respondent

Vs

Dr.A.Murali ... Respondent/Petitioner

Transfer Civil Miscellaneous Petition filed under Section 24 of the Civil Procedure Code, 1906, praying to withdraw H.M.O.P.No. 259 of 2015 on the file of the Principal Sub Court, Tiruppur and transfer the same to the Family Court, Coimbatore, to be tried along with H.M.O.P.No. 1371 of 2015.

For Petitioner : Mr.K.Govi Ganesan

For Respondent : Mr.C.Jagadish

ORDER

Petitioner has filed the present petition seeking transfer of H.M.O.P.No. 259 of 2015 on the file of the Principal Sub Court, Tiruppur, to the file of learned Family Court, Coimbatore, to be tried along with H.M.O.P.No. 1371 of 2015.

2. Learned counsel for petitioner submits that a petition in H.M.O.P.No. 1371 of 2015 seeking Restitution of Conjugal Rights filed by the petitioner/wife is pending on the file of learned Family Court, Coimbatore. As the petitioner has to take care of her aged parents and her two children, she finds it difficult to travel from Coimbatore to Tiruppur to attend the case in H.M.O.P.No. 259 of 2015 filed by the respondent/husband. Hence, the petitioner prays for transfer of H.M.O.P.No. 259 of 2015 pending on the file of learned Principal Sub Court, Tiruppur, to the file of learned Family Court, Coimbatore, to be tried along with H.M.O.P.No. 1371 of 2015.

3. Learned counsel for respondent has no serious objection.

4. Considering the submissions made on either side, this Court directs transfer of H.M.O.P.No. 259 of 2015 on the file of learned Principal Sub Court, Tiruppur, to the file of learned Family Court, Coimbatore, to be tried along with H.M.O.P.No. 1371 of 2015. The Court below is directed to dispose H.M.O.P.Nos. 259 & 1371 of 2015 as expeditiously as possible, in any event, not later than four months from the date of receipt of this order.

5. The Transfer Civil Miscellaneous Petition is disposed of with the above direction. No costs. Consequently, connected Miscellaneous Petitions are closed.

Sd/-
Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

vsg

To

1. The Principal Sub Judge, Tiruppur.
2. The Judge, Family Court, Coimbatore.

1 cc to Mr.K.Govi Ganesan, Advocate, sr.37617
1 cc to Mr.C.Jagadish, Advocate, sr.37576

सत्यमेव जयते

Tr.C.M.P.No. 300 of 2016
and
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