

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.7.2016

CORAM

THE HONOURABLE MR.JUSTICE C.T.SELVAM

Transfer Civil Miscellaneous Petition No.327 of 2016

Mrs.Jeevitha @ Bharathy
W/o.Mr.Vijayakumar

... Petitioner

vs

B.Vijayakumar
S/o. Mr.Balasundaram

... Respondent

Transfer Civil Miscellaneous Petition filed under Section 24 of the Civil Procedure Code, 1906, praying to withdraw the petition in HMOP.No.360 of 2015 pending on the file of Sub Court, Poonamallee, Tiruvallur District and transfer the same to the file Sub Court, Madurantakkam, Kancheepuram District for join trial with HMOP. No.30 of 2015 pending therein.

For Petitioner : Mr.N.Nagu sah

For Respondent : No appearance

O R D E R

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. 360 of 2015 on the file of Sub Court, Poonamalle Tiruvallur District, to the file of Sub Court Madurantakkam, Kancheepuram District for join trial with H.M.O.P.No.30 of 2015.

3. Learned counsel for petitioner submits that petitioner and respondent are wife and husband. Differences arose between them. Petitioner/wife has filed H.M.O.P.No.30 of 2015 on the file of Sub Court, Madurantakkam towards restitution of conjugal rights and respondent/husband has filed H.M.O.P.No.360 of 2015 on the file of Sub Court, Poonamalle, Tiruvallur District

seeking divorce. Submitting that it would be desirable to have both the matters tried together, learned counsel prays for transfer of H.M.O.P.No.360 of 2015 pending on the file of Sub Court, Poonamalle, Tiruvallur District to the file of Sub Court, Madurantakkam, Kancheepuram District.

4. Considering the submissions made, this Court directs transfer of H.M.O.P.No.360 of 2015 from the file of Sub Court, Poonamalle, Tiruvallur District, to the file of Sub Court, Madurantakkam, Kancheepuram District to be tried jointly with H.M.O.P.No.30 of 2015.

The Transfer Civil Miscellaneous Petition, accordingly, is ordered. No costs.

Sd/-
Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

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To

- 1.The Sub Court,
Poonamalle,
Tiruvallur District
- 2.The Sub Court,
Madurantakkam,
Kancheepuram District

1 cc to Mr.Nagu sah, Advocate, sr.41447

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ad co
kra 05.08.2016