

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.08.2016

CORAM

THE HONOURABLE MR.JUSTICE C.T.SELVAM

Transfer Civil Miscellaneous Petition No.427 of 2016
and
C.M.P.No.11365 of 2016

V.Muthukuzhali
D/o.Viswanathan

... Petitioner

Vs

R.Mohanaraja
S/o.Rathinavel

... Respondent

Transfer Civil Miscellaneous Petition filed under Section 24 of the Civil Procedure Code, 1906, praying to withdraw H.M.O.P.No.63 of 2016 on the file of Sub Court, Tambaram and transfer the same to Sub Court, Thiruvarur, to be tried along with H.M.O.P.No.48 of 2016 pending before Sub Court, Thiruvarur.

For Petitioner : Mr.S.Mohan

For Respondent : No appearance

O R D E R

Learned counsel for respondent at the Court below has been served. Service is sufficient. There is no representation for the respondent.

2. Petitioner has filed the present petition seeking transfer of H.M.O.P.No.63 of 2016 on the file of Sub Court, Tambaram, to the file of Sub Court, Thiruvarur, to be jointly tried with H.M.O.P.No.48 of 2016.

3. Learned counsel for petitioner/wife submits that the respondent/husband has filed H.M.O.P.No.63 of 2016 on the file of Sub Court, Tambaram, seeking divorce. Petitioner/wife has filed H.M.O.P.No.48 of 2016 on the file of Sub Court, Thiruvarur, seeking restitution of conjugal rights. Petitioner

presently is residing at Thiruvarur with her minor children and hence, she finds it difficult to travel to Tambaram to attend the hearing. Further, since both parties have filed petitions it would be desirable to have both the matters together.

4. Considering the submissions made, this Court directs transfer of H.M.O.P.No.63 of 2016 on the file of Sub Court, Tambaram, to the file of Sub Court, Thiruvarur, to be jointly tried with H.M.O.P.No.48 of 2016.

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

Sd/-

Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

gm

To

1. The Sub Judge,
Tambaram.
2. The Sub Judge,
Thiruvarur.

+lcc to Mr.S.Mohan, Advocate, S.R.No.44702

Transfer Civil Miscellaneous Petition
No.427 of 2016

AD(CO)
CA(12/09/2016)

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