

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.07.2017

CORAM :

THE HONOURABLE MR. JUSTICE M. GOVINDARAJ

TR C.M.P.No. 551 of 2017

and

C.M.P.No.11295 of 2017

N.Gopi Kuppuraj

...Petitioner

Vs.

M.Uma

...Respondent

PRAYER: Transfer Civil Miscellaneous Petition filed under Section 24 C.P.C of the Constitution of India, to permit the petitioner to withdraw the F.C.G.M.O.P. No.54 of 2014 pending on the file of the Family Court, Dharmapuri and to transfer the said case to the Sub Court, Harur.

For Petitioner : Mr.V.Sakkarapani

ORDER

The petitioner/ husband has filed a petition for divorce before the Sub-Court, Dharmapuri, in O.P.No.181 of 2011. Thereafter, the matter was transferred to the Family Court, Dharmapuri and renumbered as HMOP.No.54 of 2014.

2. In the meantime, the respondent / wife filed maintenance case in M.C.No.4 of 2013 before the Judicial Magistrate, Pappireddipatti. The respondent / wife has also filed H.M.O.P.No.7 of 2014 before the Sub Court, Harur, under Section 9 of the Hindu Marriage Act for restitution of conjugal rights.

3. The petitioner / husband has come up with the present petition seeking permission to withdraw H.M.O.P.No.54 of 2014 from the file of Family Court, Dharmapuri and transfer the same to Sub Court, Harur, to be tried along with H.M.O.P.No.7 of 2014, for the convenience of the respondent / wife.

4. The learned counsel for the petitioner would submit that the matter is pending at the stage of trial and therefore, a direction may be given to the Sub Court, Harur, to dispose of the same, as expeditiously as possible.

5. Accordingly, HMOP.No.54 of 2014 is withdrawn from the file of Family Court, Dharmapuri and the same is transferred to Sub Court, Harur, to be tried along with the HMOP.No.7 of 2014. The learned Sub Judge, Harur, is directed to dispose of the case, as expeditiously as possible.

6. With these observations, this Transfer Civil Miscellaneous Petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

21.07.2017

Speaking order/Non-speaking order

Index: Yes/No

Internet: Yes/No

klt/tk

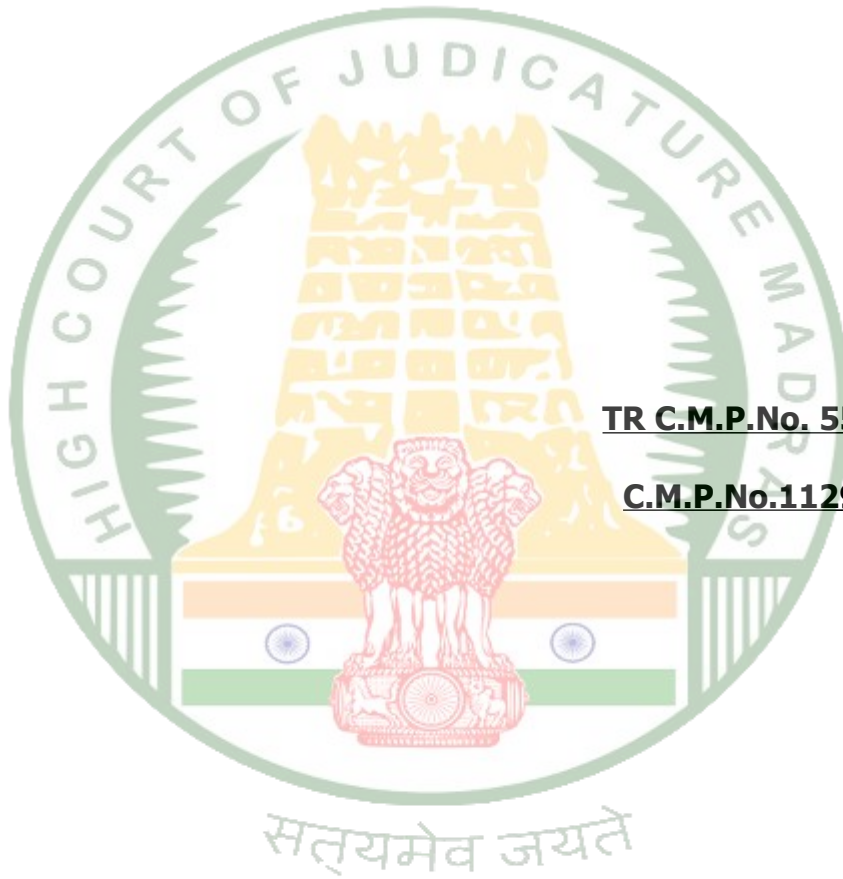
Note: Issue order copy on 04.09.2017



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M.GOVINDARAJ, J.

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