

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.08.2017

C O R A M

THE HONOURABLE MR.JUSTICE M. GOVINDARAJ

TR C.M.P. No.715 of 2017
and C.M.P.No.14528 of 2017

P.Thirugnanam Petitioner

Vs.

Indhirani Respondent

PRAYER: Transfer Civil Miscellaneous Petition filed under section 24 of C.P.C., to withdraw H.M.O.P.No.95 of 2017 from the file of the Sub Court, Dharapuram, Tiruppur District, and to transfer the same to the Sub Court, Bhavani, Erode District, to try along with H.M.O.P.No.5 of 2016 on the file of the Sub Court, Bhavani.

For Petitioner : Mr.V.Anandhamurthy

ORDER

This petition has been filed to withdraw H.M.O.P.No.95 of 2017 from the file of the Sub Court, Dharapuram, Tiruppur District, and to transfer the same to the Sub Court, Bhavani, Erode District, to try

along with H.M.O.P.No.5 of 2016 on the file of the Sub Court, Bhavani.

2. The petitioner is the husband and the respondent is the wife. He filed a petition for restitution of conjugal rights in H.M.O.P.No.95 of 2017 pending on the file of the Sub Court, Dharapuram. The respondent/wife has filed a petition for divorce in H.M.O.P.No.5 of 2016 on the file of the Sub court, Bhavani.

3. The present Civil Revision Petition is filed for transferring the petition in H.M.O.P.No.95 of 2017 filed by the petitioner/husband before the Sub Court, Dharapuram, to the Sub Court, Bhavani. The petitioner seeking transfer of Original Petition, has to try along with H.M.O.P.No.5 of 2016 filed by the respondent/wife. In the event of transferring H.M.O.P.No.95 of 2017 to the Sub Court, Bhavani, the respondent will not be prejudiced.

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4. Considering the facts and circumstances of the case, the Original Petition in H.M.O.P.No.95 of 2017 pending on the file of the Sub Court, Dharapuram, Tiruppur District, is ordered to be withdrawn and the same is to be transferred to the Sub Court, Bhavani, Erode District. The

Sub Court, Dharapuram, is directed to transmit all the records relating to the Original Petition in H.M.O.P.No.95 of 2017 to the Sub Court, Bhavani, forthwith. The Sub Court, Bhavani, is directed to re-number the Original Petition and take up the joint trial of both the petitions.

5. With the above directions, this Transfer Civil Miscellaneous Petition is allowed.

29.08.2017

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To

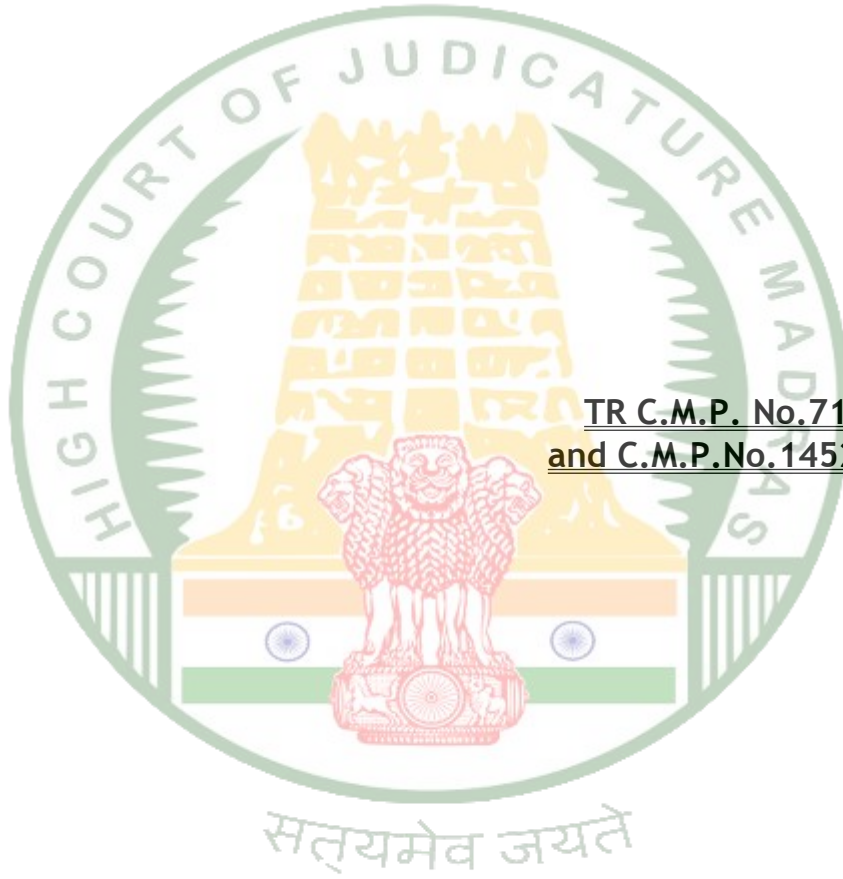
1. The Sub Court, Dharapuram, Tiruppur District,
2. The Sub Court, Bhavani, Erode District.

सत्यमेव जयते

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M. GOVINDARAJ, J.

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