

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.03.2017

CORAM

THE HONOURABLE THIRU JUSTICE M. DURAISWAMY

Tr.C.M.P.No.759 of 2016
and CMP.No.19472 of 2016

Revathi ... Petitioner/Respondent

v.

P.Ravikumar ... Respondent/Petitioner

Tr.C.M.P. filed under section 24 of C.P.C. R/w Section 151 of CPC to withdraw and transfer the HMOP.No.138 of 2015 from the file of Sub Court, Dharapuram to Sub Court, Mettur, to try along with H.M.O.P.No.64 of 2016 on the file of the Sub Court, Mettur.

For Petitioner : Mr.J.Ramakrishnan
For Respondent : Mr.A.Ramkumar

ORDER

Heard the learned counsel for the petitioner and the learned counsel for the respondent.

2. The petitioner, who is the wife of the respondent, has filed the above Civil Revision Petition to withdraw and transfer H.M.O.P.No.138 of 2015, pending on the file of the Sub Court, Dharapuram to the file of Sub Court, Mettur to be tried along with H.M.O.P.No.64 of 2016 on the file of the Sub Court, Mettur.

3. The petitioner/wife is a resident of Mettur Taluk and hence she sought for transfer of H.M.O.P.No.138 of 2015, from the file of the Sub Court, Dharapuram to the file of Sub Court, Mettur.

4. Mr.J.Ramakrishnan, learned counsel for the petitioner submitted that the petitioner/wife has filed another Original Petition in H.M.O.P.NO.64 of 2016 on the file of Sub Court, Mettur for restitution of conjugal rights. Therefore, the petition in HMOP.No.138 of 2015, pending on the file of Sub Court Dharapuram may be transferred to the file of Sub Court, Mettur, to be tried along with H.M.O.P.No.64 of 2016.

5. Though the learned counsel for the respondent has filed his counter and opposed the transfer, I am of the view that

since already a petition in H.M.O.P.No.64 of 2016 is pending on the file of the Sub Court, Mettur and also that the petitioner/wife is a resident of Mettur Taluk, the Original Petition in H.M.O.P.No.138 of 2015, pending on the file of the Sub Court, Dharapuram can be transferred to the file of Sub Court, Mettur.

6. Accordingly, H.M.O.P.No.138 of 2015, pending on the file of the Sub Court, Dharapuram is withdrawn and transferred to the file of Sub Court, Mettur, to be tried along with H.M.O.P.No.64 of 2016.

With these observations, the Tr.CMP petition is ordered. No costs. Connected miscellaneous petition is closed.

Sd/-
Asst.Registrar (CS II)

/true copy/

Sub Asst. Registrar

To

1. The Sub Court, Dharapuram
2. The Sub Court, Mettur.

+1 cc to M/s.Al.Ganthimathi,advocate,sr.15724.

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Tr.C.M.P.No.759 of 2016

सत्यमेव जयते

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