



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :12.04.2017

CORAM:

THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN

Tr.C.M.P(MD)No.115 of 2017

and

C.M.P(MD)No.2614 of 2017

S.Kalaiselvi

... Petitioner

Vs.

K.Rajesh

... Respondent

Petition filed under Section 24 of the Code of Civil Procedure 1908, to withdraw and transfer the H.M.O.P.No.40 of 2016 on the file of the Family Court, Virudhunagar District at Srivilliputtur and transfer the same to the file of Principal Sub Court, Thanjavur.

For Petitioner : Mrs.M.Maria Vinola

For Respondent : Mr.K.Sudalaiyandi

ORDER

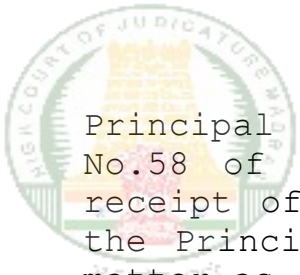
The wife, who is the respondent in H.M.O.P.No.40 of 2016 on the file of the Family Court, Srivilliputtur seeks transfer and transfer the same to the file of the Principal Sub Court, Thanjavur, to be heard along with H.M.O.P.No.58 of 2017.

2.Learned counsel appearing for the respondent-husband made objections for the transfer of H.M.O.P and seeks time for filing counter.

3.Learned counsel would contend that the trial had commenced at Srivilliputhur. Even in the original petition, the wife shown to be residing at Thanjavur and the said fact is disputed by the husband.

4.Considering the distance between Thanjavur and Sriviliputtur and the fact that the petitioner-wife is residing at Thanjavur and she had lost her father also, it is a fit case to withdraw H.M.O.P.No.40/2016 and transfer the same to the file of the Principal Sub Court, Thanjavur to be tried along with H.M.O.P. No.58 of 2017.

5.Accordingly, the Family Court, Srivilliputhur is directed to transmit the papers in H.M.O.P.No.40 of 2016 to the file of the



Principal Sub Court, Thanjavur to be tried along with H.M.O.P. No.58 of 2017, within a period of two weeks from the date of receipt of a copy of this order. It is needless to mention that the Principal Sub Court, Thanjavur is directed to dispose of the matter as expeditiously as possible.

WEB COPY

6. With the above observation, the Transfer Civil Miscellaneous Petition is disposed of. No costs. Consequently, C.M.P(MD) No.2614 of 2017 is closed.

Sd/-

Assistant Registrar (CS-III)

/True Copy/

Sub Assistant Registrar

To

1. The Family Court, Srivilliputtur,
Virudhunagar District.

2. The Principal Sub Court, Thanjavur.

+1cc to Mrs.M.Maria Vinola, Advocate Sr.No.51660

vsg/rmi

vb/sv/mms/12.04.2017/2p/4c

**Tr.C.M.P (MD) No.115 of 2017
and
C.M.P (MD) No.2614 of 2017
12.04.2017**