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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED 28.06.2017
CORAM
THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN

TR.C.M.P (MD) No.213 of 2017
and
C.M.P (MD) No.4881 of 2017

Maheswari .. Petitioner/Respondent

vs.

Athithya Pandian .. Respondent/Petitioner

Prayer: Transfer Civil Miscellaneous Petition filed under Section 24 of the Civil Procedure Code praying this Court to withdraw the case in H.M.O.P.No.4 of 2017 pending on the file of Sub-Court, Uthamapalayam, Theni District and transfer the same to the file of Sub-Court, Palani, Dindigul District.

For Petitioner : M/s.R.Jegadeeswaran

For Respondent : M/s.K.P.S.Palanivelrajan

ORDER

The wife, who is the respondent in H.M.O.P.No.4 of 2017, on the file of Sub-Court, Uthamapalayam, filed by the husband seeking divorce on the ground of cruelty, seeks transfer of the same to Sub-Court Palani, Dindigul District, to be tried along with H.M.O.P.No.21 of 2017 filed by her seeking restitution of conjugal rights.

2.Even in the Original Petition in H.M.O.P.No.4 of 2017, the wife is shown to be a resident of Palani Town.

3.Considering the convenience of the wife as well as the fact that H.M.O.P.No.21 of 2017 filed by the wife seeking restitution of conjugal rights is pending before Sub-Court, Palani and there is likelihood of conflicting judgements if the Petitions are allowed to be tried by two different courts, this Transfer Civil Miscellaneous Petition is allowed and the Petition in H.M.O.P.No.4 of 2017 is withdrawn from the file of Sub-Court, Uthamapalayam, Theni District and transferred to the file of Sub-Court, Palani.

<https://hcservices.ecourts.gov.in/coservices/>, Uthamapalayam, Theni District is directed to despatch the records to Sub-Court, Palani, Dindigul District within a period of two weeks from the date of receipt of copy of



this order. H.M.O.P.No.4 of 2017, on transfer, shall be heard along with H.M.O.P.No.21 of 2017 pending on the file of Sub-Court, Palani, Dindigul District. Consequently, connected Miscellaneous Petition is closed. No costs.

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Sd /-

ASSISTANT REGISTRAR

/TRUE COPY/

SUB ASSISTANT REGISTRAR

To

1.The Sub-Judge,
Uthamapalayam,
Theni District.

2.The Sub-Judge,
Palani,
Dindigul District.

+1 CC TO MR.R.JEGADEESWARAN, ADVOCATE, SR NO.62428

vsn

MAS/MR-KKR/SAR2:04.07.2017:2P-4C

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