



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 20.04.2017

CORAM :

THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN

Tr.C.M.P(MD)No.67 of 2017

and

C.M.P(MD)No.1667 of 2017

S.Meera

... Petitioner

Vs.

K.Ramesh Kumar

... Respondent

Prayer: Petition filed under Section 24 read with Rule 1(2) of the Code of Civil Procedure, to withdraw and transfer H.M.O.P.No.275 of 2016 on the file of Family Court, Trichy to be tried along with H.M.O.P.No.255 of 2015 on the file of Subordinate Judge, Namakkal.

For Petitioner : Mr.R.Aravind Raj

For Respondent : Mr.T.LeninKumar

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O R D E R

The wife, who is the respondent in H.M.O.P.No.275 of 2016 on the file of the Family Court, Trichy, is the petitioner. The said H.M.O.P.No.275 of 2016 has been filed by the respondent/husband for restitution of conjugal rights.

2. It is seen from the records that the petitioner/wife has filed H.M.O.P.No.255 of 2015 on the file of the Sub Court, Namakkal, under Section 13(1)(i-a) of the Hindu Marriage Act, seeking divorce. Even in the Original Petition in H.M.O.P.No.275 of 2016, the wife is shown to be a resident of Namakkal.

3. Hence, I deem it fit to withdraw H.M.O.P.No.275 of 2016 from the file of the Family Court, Trichy and transfer the same to the file of the Sub Court, Namakkal, to be tried along with H.M.O.P.No. 255 of 2015.

4. Accordingly, H.M.O.P.No.275 of 2016 pending on the file of the Family Court, Trichy, is withdrawn and transferred to the file of the Sub Court, Namakkal, to be tried along with H.M.O.P.No.255 of 2015. The Family Court, Trichy, is directed to despatch the



records in H.M.O.P.No.275 of 2016 to the Sub Court, Namakkal, within a period of two weeks from the date of receipt of a copy of this order. On receipt of the same, the Sub Court, Namakkal, is directed to dispose of both the petitions as early as possible.

5. In the result, this Transfer Civil Miscellaneous Petition is ordered as above. No costs. Consequently, the connected civil miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS-II)

/True Copy/

Sub Assistant Registrar

To

1.The Judge,
Family Court, Trichy

2.The Subordinate Judge, Namakkal.

+1cc to Mr.T.LeninKumar, Advocate Sr.No.52960
+1cc to Mr.R.Aravind Raj, Advocate Sr.No.52959

rsb

vb/jc/04.05.2017/2p/5c

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