



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 13.08.2018

CORAM :

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

TR CMP(MD) No.163 of 2018

and

CMP(MD)No.3853 of 2018

S.Shanmuga Priya

... Petitioner

Vs.

R.Maheshkumar

... Respondent

Prayer : This petition is filed under Section 24 of Civil Procedure Code, to withdraw and transfer HMOP No.46 of 2018 from the file of the learned Subordinate Court, Thoothukudi to the file of the learned Subordinate Court, Dindigul.

For Petitioner : Mr.K.Gurunathan

For Respondent : Mr.M.P.Senthil

ORDER

The petitioner herein got married to the respondent on 27.11.2014 at Tuticorin. Both are working in banks. Since the marital relationship has come under strain, the respondent filed HMOP.No.46 of 2018 before the Sub Court, Tuticorin seeking divorce. The petitioner herein has filed HMOP.No.60 of 2018 before the Sub Court, Dindigul. Since the petitioner wants restitution while the respondent wants divorce, both the HMOPs will have to be tried together. The petitioner has therefore filed this Transfer Civil Miscellaneous Petition for transferring the case from Tuticorin to Dindigul.

2.Since the petitioner is a woman and she is having a young child, this Court is of the view that the HMOP filed by the respondent can be transferred to Sub Court, Dindigul. Therefore, HMOP.No.46 of 2018 is withdrawn from Sub Court, Tuticorin and transferred to Sub Court, Dindigul. Both the HMOPs shall be tried together. Accordingly, this Transfer Civil Miscellaneous Petition is allowed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(RTI)

/True Copy/

Sub Assistant Registrar(CS-III)



To

1.The Sub Judge, Thoothukudi.

2.The Sub Judge, Dindigul.

+1cc to Mr.K.Gurunathan, Advocate Sr.No.78716

+1cc to Mr.M.P.Senthil,Advocate Sr.No.78859

SKM

VB/RP/SAR3/10.09.2018/2P/5C

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