



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.10.2018

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THE HONOURABLE MR. JUSTICE G.R.SWAMINATHAN

Tr.C.M.P. (MD) .No.203 of 2018
and C.M.P. (MD) .No.4922 of 2018

Muneeswari .. Petitioner/Respondent

Vs.

Manikandan .. Respondent/Petitioner

PRAYER: This Transfer Civil Miscellaneous Petition is filed under Section 24 of Civil Procedure Code, to withdraw and transfer H.M.O.P.No.94 of 2017 from the file of the Sub-Court, Sankarankoil to the file of the Sub Court, Srivilliputhur and to try the same along with H.M.O.P.No.109 of 2017.

For Petitioner : Mr.M.Thirunavukkarasu
For Respondent : Mr.P.Santhanakrishnan

O R D E R

The petitioner herein got married to the respondent on 16.06.2016. The relationship between them has come under strain. The respondent filed H.M.O.P.No.94 of 2017 before the Sub Court Sankarankoil for divorce. The petitioner later filed H.M.O.P.No.109 of 2017 before the Sub Court, Srivilliputhur for restitution of conjugal rights. In the very nature of things, both will have to be heard together.

2. The learned counsel appearing for the respondent submits his side has got already concluded in H.M.O.P.No.94 of 2017. This statement is recorded. This court withdraws H.M.O.P.No.94 of 2017 from the file of the Sub Court, Sankarankoil and transfers the same to the Sub Court, Srivilliputhur for being tried along with H.M.O.P.No.109 of 2017 filed by the petitioner herein.

3. It is made clear that the evidence already adduced by the respondent herein in his H.M.O.P. No.94 of 2017 will remain and the Sub Court, Srivilliputhur, shall proceed to hear the said case from the stage, at which it was transferred. Since there appears to be no hope or conciliation in this case, the Sub Court, Srivilliputhur shall withdraw the case file from the Lok Adalat and jointly try both the H.M.O.P.s. The court below shall dispose of the Original Petitions within a period of six months from the



date of receipt of a copy of this order.

4. In the result, Transfer Civil Miscellaneous Petition is allowed. No costs. Consequently, connected miscellaneous petition in C.M.P.(MD) No. 4922 of 2018 is closed.

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Sd/-

Assistant Registrar (CS-III)

// True Copy //

Sub Assistant Registrar (CS-I)

To

1.The Subordinate Judge, Sankarankoil

2.The Subordinate Judge, Srivilliputhur.

+ 1 CC TO MR.P.SANTHANAKRISHNAN, ADVOCATE IN SR NO.87940

+ 1 CC TO MR.THIRUNAVUKKARASU, ADVOCATE IN SR NO.87953

CM

BU/SKN/SAR-I :25.10.2018 : 2P/5C

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