



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 13.06.2018
CORAM

THE HONOURABLE MR.JUSTICE M.V.MURALIDARAN

WEB COPY

TR. C.M.P(MD) .No.333 & 334 of 2017
and
C.M.P(MD)Nos.7041 & 7042 of 2017

Tr.C.M.P(MD)No.333 of 2017

J.Shriramkumar ... Petitioner/Respondent
Vs.

S.Akino ... Respondent/Petitioner

PRAYER:- Transfer Civil Miscellaneous Petition filed under Section 24 of the Civil Procedure Code, 1908, praying to withdraw the proceedings in H.M.O.P.No.369 of 2016, on the file of the Sub Court, Madurai (Camp Court at Melur) and transfer the same before any other appropriate Court.

Tr.C.M.P(MD)No.334 of 2017

J.Shriramkumar ... Petitioner/Petitioner
Vs.

S.Akino ... Respondent/Respondent

PRAYER:- Transfer Civil Miscellaneous Petition filed under Section 24 of the Civil Procedure Code, 1908, praying to withdraw the proceedings in H.M.O.P.No.392 of 2016, on the file of the Sub Court, Madurai (Camp Court at Melur) and transfer the same before any other appropriate Court.

For Petitioner : Mr.J.Anandhavalli
For Respondent : Mr.P.T.S.Narendravasan

COMMON ORDER

These Transfer Civil Miscellaneous Petitions are filed seeking transfer of H.M.O.P.Nos.369 and 392 of 2016, from the file of the Sub Court, Madurai (Camp Court at Melur) to any other appropriate Court.

2.The Transfer Civil Miscellaneous Petitions were heard together and disposed of by this Common Order, as the issue involved in the Transfer Civil Miscellaneous Petitions are interlinked.

<https://hcservices.ecourts.gov.in/hcservices/>
3.The petitioner filed H.M.O.P.No.392 of 2016, before the Sub Court (Camp Court) Melur, for dissolution of marriage. The



respondent filed H.M.O.P.No.369 of 2016, before the Sub Court, (Camp Court), Melur, for restitution of conjugal rights.

4. According to the petitioner, only camp Court is available at Melur and there is no regular Court, for hearing the matter. Therefore, he seeks transfer to any other Court in Madurai District.

5. The learned counsel for the respondent has no objection for allowing the Transfer Miscellaneous Petitions.

6. Without deciding the matter on merits, I hold that this is a fit case for transferring H.M.O.P.Nos.369 and 392 of 2016 pending on the file of the Sub Court (Camp Court), Melur to III Additional Sub Court, Madurai, Madurai. The learned Sub Judge, (Camp Court), Melur is directed to send all the papers relating to H.M.O.P.Nos.369 and 392 of 2016 to the file of III Additional Sub Court, Madurai, within a period of two weeks from the date of receipt of a copy of this order.

7. Accordingly, the Transfer Civil Miscellaneous Petitions are allowed. Since HMOPs are of the year 2016, the learned III Additional Sub Court, Madurai is directed to dispose the H.M.O.P.Nos.369 and 392 of 2016, as expeditiously as possible, within a period of four months thereafter. The Registry is also directed to send back the papers that are pending before the Registry. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (CS-II)

/True Copy/

Sub Assistant Registrar

To

1. The Sub Judge (Camp Court), Melur.

2. The III Additional Sub Judge, Madurai.

+2cc to M/S.J.Anandhavalli, Advocate SR.No. 68146

+1cc to M/S.P.T.S.Narendravasan, Advocate SR.No. 68045

COPY TO:

The Section Officer,

V.R.Section,

Madurai Bench of Madras High Court,

Madurai. **(Two Copies)**

TR. C.M.P (MD) .Nos.333 & 334 of 2017

13.06.2018