



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 22.10.2018

CORAM :

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Tr.C.M.P. (MD) .No.362 of 2018

and

C.M.P. (MD) No.8726 of 2018

T.Nandhini

... Petitioner

Vs.

M.Alliraj

... Respondent

Prayer: Petition - filed under Section 24 of the Civil Procedure Code, to withdraw the case in H.M.O.P.No.40 of 2018 on the file of the Sub Court, Dharapuram and transfer the same to the file of the III Sub Court, Madurai, to be tried along with H.M.O.P.No.199 of 2017.

For Petitioner : Mr.S.Vikram

For Respondent : Mr.S.Madhavan

ORDER

The petitioner got married to the respondent on 08.04.2009. The marital relationship between them appears to have come under strain. The petitioner filed H.M.O.P.No.199 of 2017 before the III Sub Court, Madurai for divorce. The respondent filed H.M.O.P.No.40 of 2018 before the Sub Court, Dharapuram for restitution of conjugal rights.

2. In the very nature of things, both HMOPs will have to be heard and tried together. Since the petitioner is a woman and has a young child to take care in the interest of justice, this Court withdraws H.M.O.P.No.40 of 2018 from the Sub Court, Dharapuram and transfers the same to the III Sub Court, Madurai, for being jointly tried with H.M.O.P.No.199 of 2017.

3. Since the case is being transferred to only another Sub Court, the question of personal appearance of the respondent on all hearing dates will not arise.

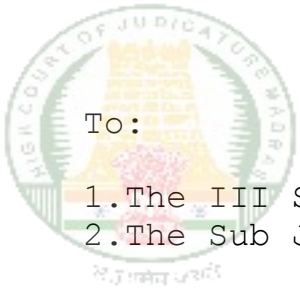
4. Accordingly, the Transfer Civil Miscellaneous Petition is allowed. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar(Records)

/True Copy/

Sub Assistant Registrar(CS-I)



To:

- 1.The III Sub Judge, Madurai.
- 2.The Sub Judge, Dharapuram.

- 1 CC TO Mr.S.Vikram , ADVOCATE IN SR No. 91194.
- + 1 CC TO Mr.S.Madhavan , ADVOCATE IN SR No. 91087.

SM

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Order made in
Tr.C.M.P.(MD).No.362 of 2018