

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:16.04.2019

CORAM:

THE HONOURABLE MR.JUSTICE M.GOVINDARAJ

Tr.CMP.No.181 of 2019
and
C.M.P.No.5648 of 2019

Aswini ... Petitioner

Vs.

Ramachandran ... Respondent

PRAYER: Transfer Civil Miscellaneous petitions filed under Section 24 of the Civil Procedure Code, praying to withdraw the H.M.O.P.No.15 of 2019 pending on the file of Sub Court, Dharmapuri and transfer the same to the Sub Court, Gudiyatham to be tried along with H.M.O.P.No.17 of 2019 on the file of Sub Court, Gudiyatham.

For Petitioner : Mr.T.Dhanyakumar

For Respondent : Mr.V.Sakkarapani

O R D E R

This petition is filed by the petitioner seeking to withdraw the H.M.O.P.No.15 of 2019 pending on the file of Sub Court, Dharmapuri and transfer the same to the Sub Court, Gudiyatham to be tried along with H.M.O.P.No.17 of 2019 on the file of Sub Court, Gudiyatham.

2. The petitioner is the wife. The respondent / husband filed a petition for divorce before Sub Court, Dharmapuri. The petitioner / wife filed a petition for restitution of conjugal rights before Sub Court, Gudiyatham. She has an one year old child. She finds it difficult to travel from Gudiyatham to Dharmapuri, which is 125 Kms, to attend the case for every hearing. Therefore, she seeks transfer of the case filed by respondent / husband to be tried along with petition filed by her before Sub Court, Gudiyatham.

3. Considering the financial hardships and inconvenience caused to the wife in travelling 250 kms for attending the hearing and also the hardship caused to the one year old child, this Court is inclined to transfer the

case filed by the husband from Dharmapuri to Gudiyatham. Accordingly, H.M.O.P.No.15 of 2018 pending on the file of Sub Court, Dharmapuri is withdrawn and transferred to Sub Court, Gudiyatham to be tried along with H.M.O.P.No.17 of 2019 pending on the same. A direction is issued to Sub Court, Gudiyatham to dispose of the petitions as expeditiously as possible on receipt of bundles from Sub Court, Dharmapuri.

5. With the above directions, the transfer Civil Miscellaneous Petition is ordered. Consequently, connected civil miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

bkn

To

- 1.The Subordinate Judge,
Subordinate Court, Gudiyatham.
- 2.The Subordinate Judge,
Subordinate Court, Dharmapuri.

+1cc to Mr.T.Dhanyakumar , Advocate SR.No. 37954
+1cc to Mr.V.Sakkarapani , Advocate SR.No. 37966

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A.SK(24/06/2019)

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