

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 28.06.2019

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

Tr. C.M.P. Nos.526, 527 & 601 of 2018
and C.M.P. Nos.12999, 13000 & 14472 of 2018

M.Sudha ... Petitioner in Tr.C.M.P.
Nos.526 & 527 of 2018 /
Respondent / Defendant

R.Mahendra Prabhu ... Petitioner in Tr.C.M.P.
No.601 of 2018

-vs-

R.Mahendra Prabhu ... Respondent in Tr.C.M.P.
No.526 of 2018 /
Petitioner

1.R.Mahendra Prabhu ..1st Respondent in Tr.C.M.P
No.527 of 2018/ Plaintiff

2.R.Murugesan ... 1st Respondent / Plaintiff

3.M.Shanthi ..2nd & 3rd Respondents in Tr.C.M.P
No.527 of 2018 / Defendants 2 & 3

M.Sudha ... Respondent in Tr.C.M.P.
No.601 of 2018

Prayer in Tr.C.M.P. No.526 of 2018: Petition filed under Section 24 of C.P.C to withdraw the H.M.O.P. No.27 of 2018 pending on the file of the Sub Court at Viruthachalam and transfer the same to Sub Court at Omalur and direct to trying along with H.M.O.P. No.150 of 2018 pending on the file of Sub Court of Omalur by allowing this Transfer Petition.

Prayer in Tr.C.M.P. No.527 of 2018: Petition filed under Section 24 of C.P.C to withdraw the O.S. No.134 of 2018 pending on the file of the Sub Court at Viruthachalam and transfer the same to Sub Court at Omalur by allowing this Transfer Petition.

Prayer in Tr.C.M.P. No.601 of 2018: Petition filed under Section 24 of C.P.C to withdraw the case H.M.O.P. No.150 of 2018 on the file of the Court of the Subordinate Judge, Omalur and transfer to the Court of the Subordinate Judge, Virudhachalam.

For Petitioner in Tr.C.M.P.
Nos.526 & 527 of 2018 and
for respondent in Tr.C.M.P.
No.601 of 2018 : Mr.R.Marudhachalamurthy

For Respondent in Tr.C.M.P.
Nos.526 & 527 of 2018 and
for Petitioner in Tr.C.M.P.
No.601 of 2018 : Mr.C.Munusamy

COMMON ORDER

Transfer C.M.P. Nos.526 & 527 of 2018 have been filed by M.Sudha, wife of R.Mahendra Prabhu to withdraw the H.M.O.P. No.27 of 2018 and O.S. No.134 of 2018 pending on the file of the Sub Court at Viruthachalam and transfer the same to Sub Court at Omalur and direct to try along with H.M.O.P. No.150 of 2018 pending on the file of Sub Court at Omalur.

Transfer C.M.P. No.601 of 2018 has been filed by R.Mahendra Prabhu to withdraw the H.M.O.P. No.150 of 2018 pending on the file of the Subordinate Judge, Omalur and transfer the same to the file of the Subordinate Judge, Virudhachalam.

2.This Court has advised the parties to explore the possibility of amicable settlement through the Mediation Centre attached to this Court, but the efforts went in vain.

3.Taking note of the fact that M.Sudha, who is the wife of R.Mahendra Prabhu and residing at Omalur, is unable to attend the hearing before the Sub Court, Viruthachalam to conduct the cases in H.M.O.P. No.27 of 2018 and O.S. No.134 of 2018, seeking transfer the same to the file of Sub Court, Omalur where the H.M.O.P. No.150 of 2018 is pending, since she has to travel alone to attend the court proceedings, this Court is inclined to transfer the H.M.O.P. No.27 of 2018 and O.S. No.134 of 2018 from the file of the Sub Court, Viruthachalam to the file of the Sub Court, Omalur. Accordingly, the Tr.C.M.P. Nos.526 and 527 of 2018 are allowed and the H.M.O.P. No.27 of 2018 and O.S. No.134 of 2018 pending on the file of the Subordinate Court, Viruthachalam is withdrawn and transferred to the file of the Sub Court, Omalur. Tr.C.M.P. No.601 of 2018 is dismissed accordingly.

4.The Sub Court, Omalur is directed to take up all the cases and dispose of the same expeditiously in the manner known to law. No costs. Consequently, connected C.M.Ps. are closed.

Sd/-
Assistant Registrar (CS-VIII)

//True Copy//

Sub Assistant Registrar

vga

To

1.The Sub Court,
Viruthachalam.

2.The Sub Court,
Omalur.

+1 cc to Mr.C.Munusamy, Advocate, S.R.No.54258

+3 ccs to M/s.R.Marudhachalamurthy, Advocate,
S.R.No.54244 to 54246

Tr. C.M.P. Nos.526, 527 & 601 of 2018
and C.M.P. Nos.12999, 13000 & 14472 of 2018

CA(CO)
SSM(08/08/2019) .