

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.03.2019

C O R A M

THE HONOURABLE MR.JUSTICE M. GOVINDARAJ

TR C.M.P. No.832 of 2018
and C.M.P.No.2056 of 2018

Jayasutha @ Jayabharathi

... Petitioner

Vs.

E.Pugazhenth

... Respondent

PRAYER: Transfer Civil Miscellaneous Petition filed under section 24 of C.P.C., to withdraw and transfer the proceedings in H.M.O.P.No.28 of 2018 on the file of the Sub Judge, Maduranthagam to the file of the Sub-Judge, Tindivanam and hear along with the proceedings in H.M.O.P.No.90 of 2018 for disposal in accordance with law.

For Petitioner : Mr.Kingston Jerold

O R D E R

The Transfer Civil Miscellaneous Petition has been filed seeking transfer of H.M.O.P.No.28 of 2018 on the file of the Sub Judge, Maduranthagam to the file of the Sub-Judge, Tindivanam, to be tried along with H.M.O.P.No.90 of 2018.

2. Respondent and petitioner are husband and wife. The respondent/husband filed a petition for restitution of conjugal rights before the Sub Court, Madhuranthagam. The petitioner/wife filed a petition for divorce before Sub-Court, Tindivanam. Since the petitioner/wife is coming from remote village, she find it difficult to travel to Madhuranthagam for every hearing. Hence, she preferred the above transfer civil miscellaneous petition.

3. Despite service of notice, the respondent or his counsel has not chosen to appear before this Court from December 2018.

4. Considering the convenience of parties and also physical hardship caused to the petitioner/wife, who has no support to travel to Sub Court, Madhuranthagam for every hearing, this

Court is inclined to transfer the case from Madhuranthagam to Tindivanam.

5. Accordingly, H.M.O.P.No.28 of 2018 pending on the file of Sub Judge, Madhuranthagam is withdrawn and transferred to the tile of Sub Court, Tidivanam.

6. The Transfer Civil Miscellaneous Petition is disposed of with the above direction. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS-VIII)

//True Copy//

Sub Assistant Registrar

bri

To

1. The Sub Court,
Madhuranthagam.
2. The Sub Court,
Tindivanam.

+1cc to Mr.S.Kingston Jerold, Advocate, S.R.No. 21304

सत्यमेव जयते

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PPA (CO)
GN(10/04/2019)

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