

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:05.02.2019

THE HONOURABLE MR.JUSTICE M.GOVINDARAJ

Tr.CMP.No.865 of 2018
and
CMP.No.21410 of 2018

Kalaiarasi

... Petitioner

Vs.

M.Anbalagan

.... Respondent

PRAYER: Transfer Civil Miscellaneous petitions filed under section 24 of the Civil Procedure Code, praying to withdraw and transfer the H.M.O.P. No.29 of 2007 from the file of Sub-Court, Attur to the Sub-Court, Perambalur.

For petitioner : Mr.R.Balasubramaniam

For respondent : Mr.P.Anbalagan

O R D E R

This petition is filed by the petitioner seeking to withdraw and transfer the H.M.O.P. No.29 of 2007 from the file of Sub-Court, Attur to the Sub-Court, Perambalur.

2. The respondent is the husband of the petitioner. The respondent / husband filed H.M.O.P. No.29 of 2007 on Sub-Court, Attur, seeking divorce. The petitioner filed a maintenance case in M.C.No.36 of 2016 before the Principal Judicial Magistrate, Perambalur.

3. The petitioner / wife is residing at Perambalur. It is submitted by learned counsel for the petitioner that the respondent is presently employed at Veppanthattai, which is about 12 Kilometers away from Perambalur.

4. Since the respondent is employed at Veppanthattai and residing within the jurisdiction of Sub-Court, Perambalur, this Court, considers it as a fit case for transfer.

5. Considering the convenience of the parties, this Court is inclined to withdraw and transfer both the petitions filed by

the petitioner as well as respondent, to the Sub Court, Perambalur. Accordingly, H.M.O.P.29 of 2007 filed by the husband, pending on the file of Sub Court, Attur, as well as M.C.No.30 of 2016 filed by the wife, pending on the file of Principle Judicial Magistrate, Perambalur are withdrawn from the respective Courts and transferred to Sub Court, Perambalur. A direction is issued to the Sub Court, Perambalur to renumber both the petitions and continue the proceedings where it stands. A further direction is issued to conduct joint trial, if feasible and dispose of both the petitions, as expeditiously as possible.

6. Accordingly, this Transfer Civil Miscellaneous Petition is allowed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

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To

1.The Subordinate Judge,
Attur.

2.The Subordinate Judge,
Perambalur.

सत्यमेव जयते

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