

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.02.2019

C O R A M

THE HONOURABLE MR.JUSTICE M.GOVINDARAJ

TR C.M.P. No.898 of 2018
and
C.M.P.No.22197 of 2018

Kokila ... Petitioner/Respondent

Vs.

S.Gowrisankar ... Respondent/Petitioner

PRAYER: Transfer Civil Miscellaneous Petition filed under section 24 of C.P.C., to withdraw H.M.O.P.No.24 of 2018 pending on the file of Subordinate Court, Poonamallee and transfer the same to the file of Subordinate Court, Gobichettipalayam be tried along with H.M.O.P.No.128 of 2018 pending on the file of Subordinate Court, Gobichettipalayam.

For Petitioner : Mr.C.E.Pratap
For Respondents : Mr.K.Elangovan

O R D E R

This Transfer Civil Miscellaneous Petition has been filed seeking transfer of H.M.O.P.No.24 of 2018 pending on the file of Subordinate Court, Poonamallee to the file of Subordinate Court, Gobichettipalayam be tried along with H.M.O.P.No.128 of 2018 pending on the file of Subordinate Court, Gobichettipalayam.

2. Respondent and petitioner are husband and wife. The petitioner/wife filed a petition for restitution of conjugal rights before Sub-Court, Gobichettipalayam. The respondent/husband filed a petition for divorce on the file of Sub-Court, Poonamallee. Since the petitioner/wife is unable to travel long distance to attend all the hearings before the Sub Court, Poonamallee, she seeks transfer of the divorce petition filed by her husband to the file of Sub Court, Gobichettipalayam to be tried along with petition filed by her for restitution of conjugal rights.

3. Considering the physical and mental hardship caused to the petitioner/wife by travelling long distance to attend all

the hearings along with her child at tender age and also in view of the pendency of the other petition for restitution of conjugal rights, this court is inclined to grant relief sought for by the wife.

4. Accordingly, HMOP.No.124 of 2018 pending on the file of Sub-Court, Ponamallee is withdrawn and transferred to the file of Sub Court, Gobichettipalayam, to be tried along with H.M.O.P.No.128 of 2018 pending on the file of the same Court.

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

Sd/-

Assistant Registrar (CCC)

//True Copy//

Sub Assistant Registrar

bri

To

1. The Sub-Court, Ponamallee.

2. The Sub Court,
Gobichettipalayam.

+lcc to Mr. C.E.Pratap, Advocate, S.R.No. 18455

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SSV(CO)
GN(01/04/2019)

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