



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.06.2019

CORAM:

THE HONOURABLE MR.JUSTICE S.S. SUNDAR

Tr.C.M.P. (MD).No.70 of 2019
and
C.M.P. (MD).No.1734 of 2019

Magarajothi .. Petitioner/Respondent

Vs.

Subbramanian .. Respondent/Petitioner

Prayer: Transfer Civil Miscellaneous Petition filed under Section 24 of Civil Procedure Code, to withdraw the proceedings in HMOP No.218 of 2018 on the file of the Learned Subordinate court, Kovilpatti, Thoothukudi District and to transfer the same to the file of Learned Sub Court, Sivakasi, Virudhunagar District.

For Petitioner : Mr.M.Jegadeesh Pandian

For Respondent : Mr.G.Thalaimutharasu

ORDER

The petition has been filed by the wife to withdraw the proceedings in H.M.O.P.No.218 of 2018 on the file of the learned Subordinate Judge, Kovilpatti, Thoothukudi District and to transfer the same to the file of learned Sub Judge, Sivakasi, Virudhunagar District.

2.The petitioner is residing at Shengamala Natchiyapuram, Sivakasi, within the jurisdiction of Virudhunagar District. The respondent is residing at Kovilpatti. Though the distance between Kovilpatti and Virudhunagar is around 40 Kms, Kovilpatti is within the jurisdiction of Thoothukudi District. Admittedly wife is living in Sivakasi with her one year female child.

3.The learned counsel appearing for the respondent has no serious objection.
<https://hcservices.ecourts.gov.in/hcservices/>



4. Having regard to the position that when a petition is filed by the husband, the convenience of the wife will be given preference in the interest of justice. Hence, this Transfer Civil Miscellaneous Petition is allowed and H.M.O.P.No.218 of 2018 is withdrawn from the file of the Subordinate Judge, Kovilpatti, Thoothukudi District and transferred to the file of the learned Subordinate Judge, Sivakasi, Virudhunagar District. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (AS)

/ True Copy /

Sub Assistant Registrar (CS-)

Ls

To

1. The Subordinate Judge,
Kovilpatti,
Thoothukudi District.

2. The Subordinate Judge,
Sivakasi,
Virudhunagar District.

+1CC to M/s.M.JEGADEESH PANDIAN, Advocate
(SR-71490[F] dated 26/06/2019)

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ES/11.07.2019/2P/4C