



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 28.08.2019
CORAM:

THE HONOURABLE MR. JUSTICE S.S.SUNDAR

TR.C.M.P (MD) No.154 of 2019
and
C.M.P. (MD) No.3247 of 2019

N.Ponraj : Petitioner/ Respondent
Vs.
Maharani : Respondent/Petitioner

Prayer: Petition is filed under Section 24 of Code of Civil Procedure, to withdraw the H.M.O.P.No.100 of 2017, on the file of Sub Court, Valliyur and to transfer the same to the Sub Court, Srivilliputhur to be tried along with H.M.O.P.No.9 of 2018.

For Petitioner : Mr.C.Sundaravadivel
For Respondent : No Appearance

ORDER

This transfer petition is filed for withdrawing the proceedings in H.M.O.P.No.100 of 2017 on the file of the Sub Court, Valliyur and to transfer the same to the Sub Court, Srivilliputhur along with H.M.O.P.No.9 of 2018.

2.Despite notice being served on the respondent, none appeared for the respondent. The respondent name is also printed in the cause list.

3.The marriage between the petitioner and the respondent took place on 07.09.2005. Thereafter, due to misunderstanding some problem arose between them. The petitioner filed H.M.O.P.No.100 of 2017 on the file of the Sub Court, Valliyur under Section 9 of the Hindu Marriage Act for restitution of conjugal rights. The respondent has also filed a petition for divorce in H.M.O.P.No.9 of 2018 on the file of the Sub Court, Srivilliputhur, against the petitioner.

4.Though the petitioner has filed the petition before the Sub Court, Valliyoor, he has come forward to transfer the proceedings from the Sub Court, Valliyoor to Sub Court, Srivilliputhur to be tried along with H.M.O.P.No.9 of 2018.

5.The transfer is also beneficial to the respondent. Hence, this Court is inclined to allow this petition. Accordingly, this transfer civil miscellaneous petition is allowed and the proceedings



in H.M.O.P.No.100 of 2017 on the file of the Sub Court, Valliyur is withdrawn and transferred to the Sub Court, Srivilliputhur to be tried along with the H.M.O.P.No.9 of 2018.

6.The learned Subordinate Judge, Valliyur is directed to send the entire records to the file of Sub Court, Srivilliputhur within a period of two weeks from the date of receipt of a copy of this order. The learned Subordinate Judge, Srivilliputhur is directed to dispose of the proceedings in H.M.O.P.No.100 of 2017, within a period of four weeks from the date of receipt of records. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

Sub Assistant Registrar(CS)

To

1. The Subordinate Judge, Srivilliputhur
2. The Subordinate Judge, Valliyur.

Copy to:

The Section Officer, V.R. Section,
Madurai Bench of Madras High Court,
Madurai.(2 copies)

+1 CC to Mr.C. SUNDRAVADIVEL, Advocate (SR-83929[F] dated 28/08/2019)

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and

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