



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Date : 22.10.2019

CORAM

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THE HONOURABLE MS. JUSTICE P.T.ASHA

Tr.C.M.P. (MD) No.302 of 2019

and

C.M.P. (MD) No.7035 of 2019

Deepikka Veeramathy	.. Petitioner
Vairabalaji	.. Respondent

Vs.

Prayer : Petition is filed under Section 24 of Civil Procedure Code, to withdraw H.M.O.P.No.16 of 2019 on the file of the Sub Court, Sivakasi and transfer the same to Sub Court, Tuticorin and to try along with H.M.O.P.No.87 of 2019.

For Petitioner	: Mr.M.P.Senthil
For Respondent	: Mr.Jaya Prakash

ORDER

The above Transfer Civil Miscellaneous Petition has been filed seeking to withdraw H.M.O.P.No.16 of 2019 filed by the respondent, for restitution of conjugal rights, on the file of the Sub Court, Sivakasi, to the file of the Subordinate Court, Tuticorin District, to be tried along with H.M.O.P.No.87 of 2019, which is pending on his file.

2.The learned counsel for the respondent, on instructions, submitted that he has no objection to the transfer, as sought for by the petitioner in the present transfer civil miscellaneous petition.

3.Considering the fact that the respondent has no objection to transfer the petition, the petition in H.M.O.P.No.16 of 2019 is ordered to be withdrawn and transferred from the file of the Sub Court, Sivakasi, to the file of Subordinate Court, Tuticorin, Tuticorin District. The learned Sub Judge, Sivakasi, is directed to transmit the entire records in H.M.O.P.No.16 of 2019 to the Subordinate Court, Tuticorin, Tuticorin District. The learned Subordinate Judge, Tuticorin, Tuticorin District, is directed to tag H.M.O.P.No.16 of 2019 along with H.M.O.P No.87 of 2019, which is pending on his file, conduct joint trial and dispose of the same on merits and in accordance with law.



4.This Transfer Civil Miscellaneous Petition is allowed accordingly. No costs. Consequently, connected miscellaneous petition is closed.

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Sd/-

Assistant Registrar

// True Copy //

Sub Assistant Registrar(CS)

Mrn

To

1.The Sub Judge, Sivakasi.

2.The Sub Judge, Tuticorin.

+1CC TO MR.C.JEYAPRAKASH, Advocate Sr. No.93681

+1CC TO MR.M.P.SENTHIL, Advocate Sr. No. 93785

Tr.C.M.P. (MD) No.302 of 2019

AL(CO)

TR(25.11.2019) 2P 5C