



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 07.11.2019

CORAM

THE HONOURABLE MS.JUSTICE P.T.ASHA

Tr.C.M.P(MD)No.359 of 2019

and

C.M.P(MD) No.8247 of 2019

J.Arunarani

... Petitioner/wife

Vs.

A.Jayaraman

... Respondent/Husband

PRAYER:- Petition filed under Section 24 of Civil Procedure Code, to withdraw H.M.O.P.No.198 of 2019 on the file of Subordinate Judge, Mayiladudhurai and transfer the same to Subordinate Judge, Virudhunagar, within direction to try the same along with H.M.O.P.No.97 of 2018 pending on the file of Subordinate Judge, Virudhunagar and to dispose both cases in accordance with law.

For Petitioner : Mr.G.Mariappan

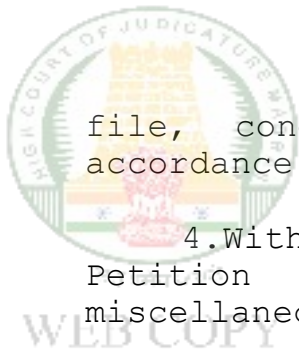
For Respondent : Mr.S.I.Muthiah

ORDER

The above Transfer Civil Miscellaneous Petition is filed by the wife seeking to transfer the petition for restitution of conjugal rights filed by the husband in H.M.O.P.No.198 of 2019 on the file of the Subordinate Judge, Mayiladudhurai, to the file of Sub Court, Virudhunagar, where the petition for divorce filed by the wife is pending in H.M.O.P.No.97 of 2018.

2.The petition filed by the wife is earlier in point of time. It is also seen that she is now residing in the United States of America and her aged father is attending the case at Mayiladudhurai.

3.Considering the fact that the petition for divorce has been filed earlier in point of time, the petition in H.M.O.P.No.198 of 2019 filed by the husband on the file of the Sub Court, Mayiladudhurai, is ordered to be withdrawn and transferred to the file of Sub Court, Virudhunagar. The learned Subordinate Judge, Mayiladudhurai, is directed to transmit the entire records in H.M.O.P.No.198 of 2019 to the Sub Court, Virudhunagar and the learned Subordinate Judge, Virudhunagar, is directed to tag H.M.O.P.No.198 of 2019 along with H.M.O.P.No.97 of 2018 which is pending on his



file, conduct joint trial and dispose of the same on merits and in accordance with law.

4. With the above directions, this Transfer Civil Miscellaneous Petition is allowed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

Sub Assistant Registrar (CS)

cp

To

1. The Subordinate Judge, Viruddhunagar.

2. The Subordinate Judge, Mayiladudhurai.

+1CC TO MR.G.MARIAPPAN, Advocate Sr. No. 96745

Tr.C.M.P(MD)No.359 of 2019

and

C.M.P(MD) No.8247 of 2019

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