



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 13.11.2019

CORAM

THE HONOURABLE MS.JUSTICE **P.T.ASHA**

Tr.C.M.P (MD)No.377 of 2019
and
C.M.P (MD)No.8628 of 2019

Jakkammal

... Petitioner

Vs.

Thirumurugan

... Respondent

PRAYER:- Petition filed under Section 24 of Civil Procedure Code, to withdraw the H.M.O.P.No.190 of 2018 on the file of the Sub-Court, Udumalaipettai and to transfer the same to the file of the Sub-Court, Vedachandur for trial.

For Petitioner : Mr.D.Venkatesh

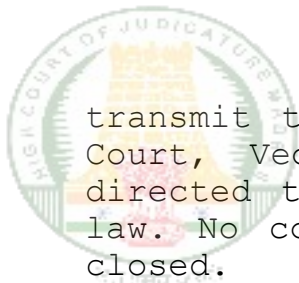
For Respondent : No Appearance

O R D E R

The above Transfer Civil Miscellaneous Petition has been filed seeking to withdraw H.M.O.P.No.190 of 2018 filed by the respondent, for restitution of conjugal rights, on the file of the Sub-Court, Udumalaipettai, to the file of the Sub-Court, Vedachandur.

2.The transfer is sought for on the grounds that the petitioner is now living with her two children at Vedachandur and that apart, she had instituted DVP proceedings in D.V.O.P.No.1 of 2019 before the learned Judicial Magistrate, Vedachandur, where the husband has been appearing. She would submit that her husband is not maintaining her and her children, who are studying in school. Therefore, if she was constrained to contest the proceedings at Sub Court, Udumalaipettai, she would incur the additional expenses and it would be a great deal of strain on her.

3. For the above reason, the Transfer Civil Miscellaneous Petition is allowed and the petition in H.M.O.P.No.190 of 2018 pending on the file of the Sub-Court, Udumalaipettai is ordered to be withdrawn and transferred to the file of Sub-Court, Vedachandur. The learned Sub Judge, Sub-Court, Udumalaipettai is directed to



transmit the entire records in H.M.O.P.No.190 of 2018 to the Sub Court, Vedachandur and the learned Sub Judge, Vedachandur, is directed to dispose of the same on merits and in accordance with law. No costs. Consequently, connected miscellaneous petition is closed.

WEB COPY

Sd/-

Assistant Registrar (CS-II)

// True Copy //

Sub Assistant Registrar(CS)

vsd

To

1.The Subordinate Judge, Udumalaipettai.

2.The Subordinate Judge, Vedachandur.

+1 CC to M/s.D.VENKATESH, Advocate (SR-98110[F] dated 14/11/2019)

Tr.C.M.P. (MD)No.377 of 2019
and
C.M.P(MD)No.8628 of 2019
13.11.2019

JMN(19.12.2019) 2P : 4C