

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT****DATED : 25.09.2019****CORAM****THE HONOURABLE MS.JUSTICE P.T.ASHA****Tr.C.M.P. (MD)No.509 of 2018****and****C.M.P(MD) No.11947 of 2018**

S.Poovaneswari

... Petitioner/Respondent

Vs.

K.Anand

... Respondent/Petitioner

PRAYER:- Petition filed under Section 24 of Civil Procedure Code, to withdraw and transfer H.M.O.P No.21 of 2018 on the file of Principal Sub Court, Tenkasi to Sub Court, Kovilpatti.

For Petitioner : Mr.G.Thalaimutharasu

For Respondent : Mr.B.Anandan

ORDER

The above Transfer Civil Miscellaneous Petition has been filed by the wife seeking to transfer H.M.O.P No.21 of 2018 pending on the file of Principal Sub Court, Tenkasi, filed by the husband seeking divorce, to the Sub Court, Kovilpatti.

2.The petitioner has also initiated the proceeding under the Domestic Violence Act before the learned Judicial Magistrate No.II, Kovilpatti. The petitioner is living at Kovilpatti and she is also working as Lecturer in the National Engineering College, Kovilpatti. The respondent/husband is residing at Kadayanallur and filed H.M.O.P at Tenkasi, since the marriage had taken place at Tenkasi.

3.Taking into account of the fact that the respondent/husband is also appearing in the Domestic Violence case at Judicial Magistrate Court No.II, Kovilpatti and the fact that the wife is residing and working at Kovilpatti, interest of justice would be sub-served, if the petition in H.M.O.P No.21 of 2018 is ordered to be withdrawn and transferred from the file of Principal Sub Court, Tenkasi, to the file of Sub Court, Kovilpatti. Therefore, the learned Principal Subordinate Judge, Tenkasi, is directed to transmit the entire records in H.M.O.P No.21 of 2018 to the Sub Court, Kovilpatti and the learned Subordinate Judge, Kovilpatti, is directed to dispose of the same on merits and in accordance with



4. In the result, this Transfer Civil Miscellaneous Petition is allowed. No costs. Consequently, connected miscellaneous petition is closed.

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Sd/-

Assistant Registrar (P&A)

// True Copy //

Sub Assistant Registrar (CS)

To

1. The Principal Subordinate Judge, Tenkasi.

2. The Subordinate Judge, Kovilpatti.

+1 CC to Mr. G. THALAIMUTHARASU, Advocate (SR-89642[F] dated 26/09/2019)

+1 CC to Mr. B. ANANDAN, Advocate (SR-89704[F] dated 26/09/2019)

Tr.C.M.P. (MD) No. 509 of 2018

and

C.M.P (MD) No. 11947 of 2018

25.09.2019

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