



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 23.09.2019
CORAM:

THE HONOURABLE MS.JUSTICE P.T. ASHA

TRCMP(MD).No. 287 of 2018 and
CMP(MD).No. 7094 of 2018

R. Mahalakshmi ... Petitioner/Respondent Wife
Vs.

A. Gopinath ... Respondent/Petitioner Husband

PRAYER: This petition is filed under Section 24 r/w, 151 of CPC to withdraw the case on the file the learned Subordinate Judge, Kancheepuram in HMOP.No. 120 of 2017 and transfer the same to the file of Family Court, Karur.

For Petitioner : Mr. S. Deenadhaylan
For Respondent : Mr.A.K. Manickam

ORDER

The Transfer Civil Miscellaneous Petition is filed by the petitioner / wife seeking transfer of the petition filed by the respondent / husband for divorce in HMOP.No. 120 of 2017, on the file of Sub Court, Kancheepuram, to the file of Family Court, Karur.

2. Heard the learned counsel appearing for the petitioner and the respondent.

3. In the affidavit filed in support of the transfer petition, the petitioner / wife would contend that her petition for restitution of conjugal rights which was filed originally before the Sub Court, Karur in HMOP.No. 121 of 2017, subsequently, transferred to the file of Family Court, Karur and re-numbered as HMOP.No. 3 of 2018 has been decreed ex parte. The petitioner seeks to have petition filed by the respondent / husband transferred on account of the fact that the respondent / husband is not maintaining her and that apart, since she is residing with her parents at Karur, travel to Kancheepuram would be expensive. That apart, she has 4 years old child to take care of.

4. In view of the above and in the interest of justice, this Transfer CMP is allowed and HMOP.No. 120 of 2017 pending on the file of the Sub Court, Kancheepuram is ordered to be withdrawn and transferred to the file of Family Court, Karur. The learned Subordinate Judge, Kancheepuram, is directed to transmit the entire



records pertaining to the case in HMOP No.120 of 2017, to the transferee Court, as expeditiously as possible.

5. The learned Judge, Family Court, Karur shall endeavour to dispose of the HMOP, pending on its file, as expeditiously as possible, in any event, not later than eight months from the date of receipt of the papers from the Sub Court, Kancheepuram. No costs. Consequently, connected Miscellaneous Petition is also closed.

Sd/-

Assistant Registrar (AD-II)

// True Copy //

Sub Assistant Registrar(CS)

To

1. The Sub Court,
Kancheepuram

2. The Family Court, Karur.

+1 CC to Mr.S.DEENADHAYALAN, Advocate (SR-88883[F] dated
24/09/2019)

TRCMP(MD).No. 287 of 2018 and
CMP(MD).No. 7094 of 2018
23.09.2019

TRP

MK (16.10.2019) 2P 4C