



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.12.2019

CORAM:

THE HONOURABLE MR. JUSTICE R.SUBRAMANIAN

TR.C.M.P. (MD) No.455 of 2019

and

C.M.P(MD)No.10427 of 2019

Meena Sundari

... Petitioner

Vs.

Marimuthu

... Respondent

PRAYER: This Transfer Civil Miscellaneous Petition is filed under Section 24 of Civil Procedure Code, to withdraw the H.M.O.P. No.35 of 2019 pending on the file of the Sub Court, Ambasamudram and transfer the same to the file of the Sub Court, Thiruchendur for trial along with H.M.O.P. No.79 of 2019.

For Petitioner : Mr.P.Banu Prasath

For Respondent : Mr.G.Anbu Saravanan

ORDER

The petitioner seeks transfer of H.M.O.P.No.35 of 2019 from the file of the Sub Court, Ambasamudram to the file of the Sub Court, Thiruchendur, for trial along with H.M.O.P. No.79 of 2019 pending on the file of the Sub Court, Thiruchendur.

2. The original petition in H.M.O.P.No.35 of 2019 has been filed by the respondent / husband seeking divorce under Section 13 (1)(i-a) of the Hindu Marriage Act. It is also stated that the wife had already filed a petition in H.M.O.P. No.79 of 2019 on the file of the Sub Court, Thiruchendur seeking restitution of conjugal rights under Section 9 of the Hindu Marriage Act.

3. Considering the convenience of the petitioner / wife and to avoid the possibility of conflicting judgment, I am of the considered opinion that the HMOP No.35 of 2019 on the file of Sub Court, Ambasamudram, can be transferred to the file of Sub Court, Thiruchendur, to be disposed of along with HMOP No.79 of 2019 pending on the file of Sub Court, Thiruchendur.

4. Accordingly, this Transfer Petition is allowed and H.M.O.P.No.35 of 2019 is withdrawn from the file of the Sub Court, Ambasamudram, and transferred to the file of the Sub Court, Thiruchendur, to be disposed of along with HMOP No.79 of 2019 pending on the file of Sub Court, Thiruchendur, in accordance with



law. The Sub Court, Ambasamudram is directed to forward the entire papers in HMOP No.35 of 2019 to the Sub Court, Thiruchendur at the earliest. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(Crl side)

// True Copy //

Sub Assistant Registrar(CS)

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To

1.The Sub Court,
Ambasamudram.

2.The Sub Court,
Thiruchendur.

+1 CC to M/s.M/S.P.BANUPRASATH, Advocate (SR-104317[F] dated 10/12/2019)

+1 CC to M/s.G.ANBUSARAVANAN, Advocate (SR-104725[F] dated 12/12/2019)

TR.C.M.P. (MD) No.455 of 2019

10.12.2019

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