

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.03.2020

CORAM :

The HON'BLE MR.JUSTICE M.DURAI SWAMY

Tr.C.M.P.No.184 of 2020  
and C.M.P.No.5880 of 2020

S.Sangeetha

... Petitioner

Vs.

S.Madhu Dhivakar

... Respondent

Petition filed under Section 24 of the Code of Civil Procedure to withdraw the H.M.O.P.No.101 of 2015 pending on the file of the Subordinate Court, Chidambaram and transfer the same to the file of the Subordinate Court, Kumbakonam to be heard and decided on merits.

For Petitioner : Mr.O.R.Maheswaren

O R D E R

The petitioner, who is the wife of the respondent, has filed the above Transfer Civil Miscellaneous Petition to withdraw and transfer the H.M.O.P.No.101 of 2015 pending on the file of the Subordinate Court, Chidambaram to the file of the Subordinate Court, Kumbakonam.

2.According to the petitioner, she is residing at Kumbakonam and therefore, it would be convenient for her if the Original Petition is transferred to the file of the Subordinate Court, Kumbakonam from the file of Subordinate Court, Chidambaram.

3.The Original Petition was filed by the respondent - husband as early as in the year 2015 for divorce. The matter is pending before the Subordinate Court, Chidambaram for nearly five years.

4.The learned counsel for the petitioner also submitted that the matter is ripe for trial.

5.In these circumstances, I am of the view that instead of transferring the matter from the file of the Subordinate Court, Chidambaram, which is pending for nearly five years, it would be suffice to direct the trial Court to dispose of the Original Petition within a time frame. Accordingly, I direct the Subordinate Judge, Chidambaram to dispose of the Original Petition in H.M.O.P.No.101 of 2015, on merits and in accordance with law, within a period of three months from the date of receipt of a copy of this order.

6.With these observations, the Transfer Civil Miscellaneous Petition is dismissed. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-  
Assistant Registrar

//True Copy//

Sub Assistant Registrar

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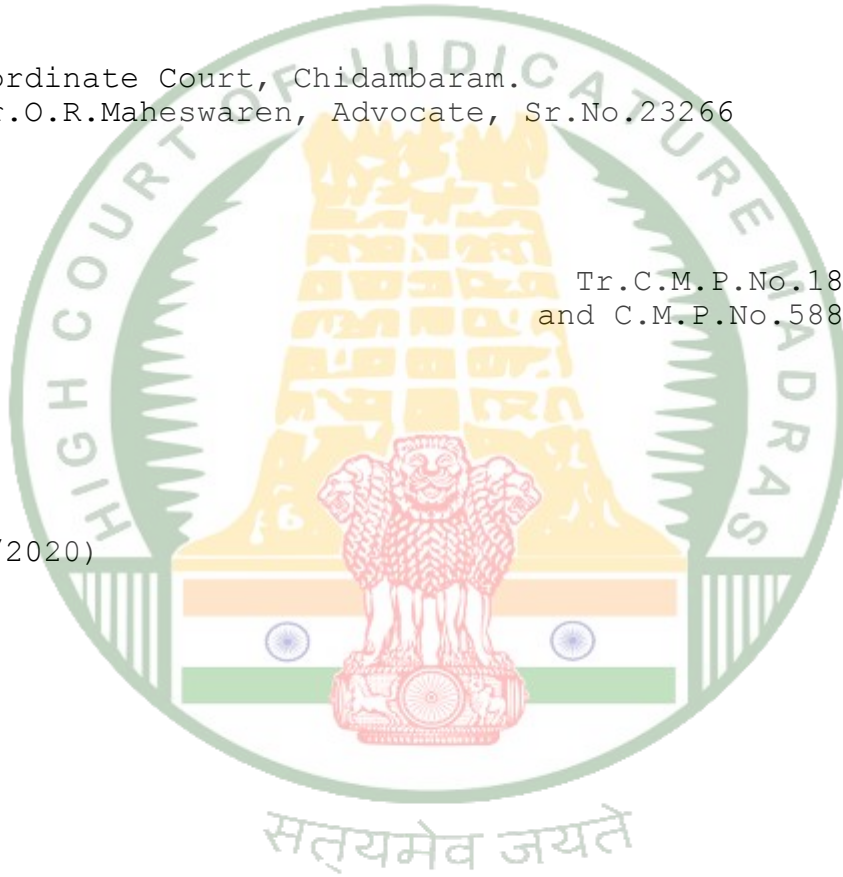
To

1.The Subordinate Court, Chidambaram.

+1cc to Mr.O.R.Maheswaren, Advocate, Sr.No.23266

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SSD(CO)  
klt(20/05/2020)



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