

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.03.2020

CORAM :

The HON'BLE MR.JUSTICE M.DURAISWAMY

Tr.C.M.P.No.214 of 2020
and C.M.P.No.6483 of 2020

G.Suganya

... Petitioner

Vs.

K.Mayavan

... Respondent

Petition filed under Section 24 of the Code of Civil Procedure to withdraw and transfer H.M.O.P.No.349 of 2017 pending on the file of the Sub Court, Tambaram to the file of Sub Court, Mayiladuthurai.

For Petitioner : Mr.D.Gopinathan

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.349 of 2017 pending on the file of the Subordinate Court, Tambaram to the file of the Subordinate Court, Mayiladuthurai.

2.Though the Original Petition was filed as early as in the year 2017, the petitioner has come forward to file the present Transfer Civil Miscellaneous Petition only when the H.M.O.P. has been taken up for trial.

2.The learned counsel for the petitioner submitted that the Original Petition is posted for trial.

3.In such circumstances, I am not inclined to transfer the Original Petition in H.M.O.P.No.349 of 2017 from the file of the Sub Court, Tambaram for the reason that the petitioner had contested the Original Petition for more than three years and has filed the petition only when the Original Petition is posted for trial. Accordingly, the Transfer Civil Miscellaneous Petition is dismissed. I direct the Subordinate Judge, Tambaram to dispose of the Original Petition in H.M.O.P.No.349 of 2017, on merits and in accordance with law, within a period of four

months from the date of receipt of a copy of this order. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-
Assistant Registrar

// True Copy//

Sub Assistant Registrar

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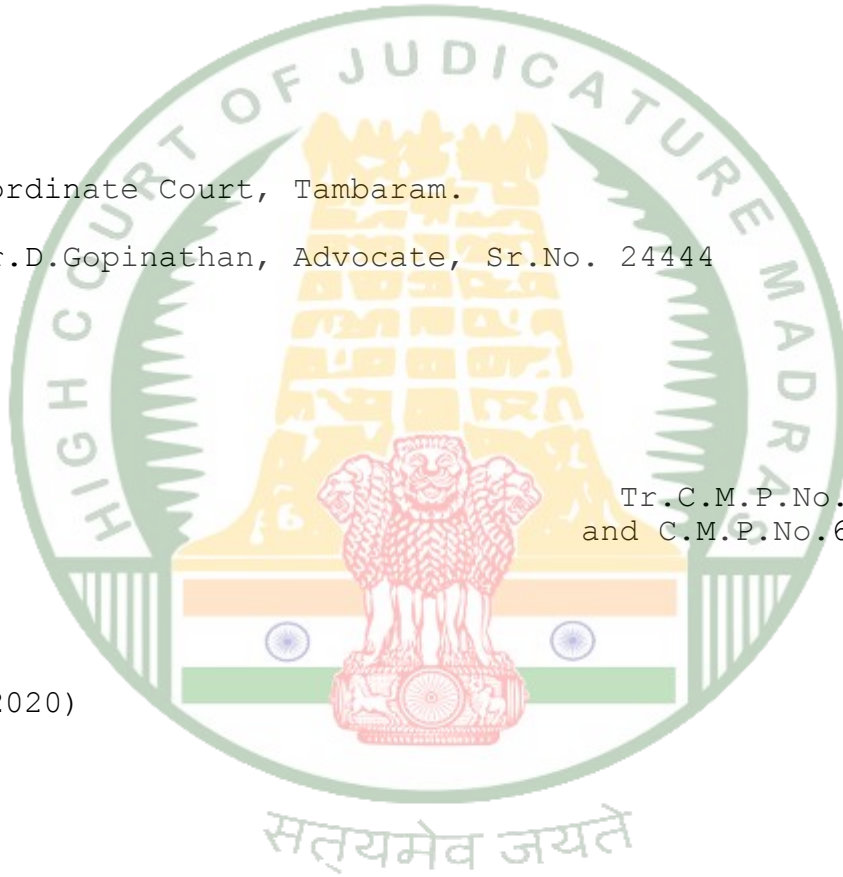
To

1.The Subordinate Court, Tambaram.

+1cc to Mr.D.Gopinathan, Advocate, Sr.No. 24444

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RSK (CO)
GS (26/05/2020)



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