

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.01.2020

CORAM:

THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN

Transfer C.M.P.No.967 of 2019

R.Santhakumari

... Petitioner

vs.

M.Ravi

...Respondent

Transfer C.M.P. filed under Section 24 of C.P.C., to withdraw H.M.O.P.No.135 of 2019, pending on the file of the Sub Court, Nagapattinam and transfer the same to the file of the Sub Court at Kumbakonam, Thanjavur District.

For Petitioner : Mr.S.Parthasarathy

For Respondent : Mr.T.Gobinath

O R D E R

Petitioner/wife, who is presently residing in Papanasam, has come up with this Petition seeking transfer of H.M.O.P.No.135 of 2019 from the file of the Sub Court, Nagapattinam to the file of the Sub Court at Kumbakonam.

2. Learned counsel appearing for the Respondent/husband submitted that, the Respondent/husband has no objection for transferring the proceedings in H.M.O.P.No.135 of 2019 from the Sub Court, Nagapattinam to the file of the Sub-Court at Kumbakonam, provided all the matrimonial cases are tried before the same Court.

3. In reply, learned counsel for the Petitioner submitted that, the Petitioner/wife will take steps to transfer D.V.C.No.1 of 2019 pending before the Judicial Magistrate Court at Papanasam, to the Sub Court at Kumbakonam.

4. In view of the same, the relief sought by the Petitioner is granted. Accordingly, the proceedings in H.M.O.P.No.135 of 2019 is withdrawn from the file of the Subordinate Court at Nagapattinam and is transferred to the file of the Subordinate Court at Kumbakonam, for trial.

5. Till the Petitioner/wife takes steps to transfer D.V.C.No.1 of 2019 from the file of Judicial Magistrate Court at Papanasam to the Subordinate Court at Kumbakonam, she shall

not proceed with the said case and seek any adverse order against the Respondent herein.

6. After transfer of D.V.C.No.1 of 2019 from the Judicial Magistrate Court, Papanasam to the file of the Subordinate Court, Kumbakonam, the Subordinate Judge at Kumbakonam, is expected to conduct joint trial of all the cases, without adjourning the matter beyond 45 working days at any point of time, to bring the issue to a logical end.

7. The Transfer Civil Miscellaneous Petition is allowed with the above direction. No costs. Consequently, connected C.M.P.No.26099 of 2019 is closed.

Sd/-

Assistant Registrar (CO)

//True Copy//

Sub Assistant Registrar

(aeb)

To :

1. The Subordinate Court,
Nagapattinam.
2. The Subordinate Court,
Kumbakonam,
Thanjavur District.

+1cc to Mr.T.Gopinath, Advocate, S.R.No. 3078

+2cc to Mr.S.Parthasarathy, Advocate, S.R.No. 2795

Tr.C.M.P.No.967 of 2019

SSI (CO)
GN(14/02/2020)