



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.01.2020

CORAM

THE HON'BLE MR.JUSTICE R.SUBRAMANIAN

Tr.C.M.P(MD)Nos.28 & 29 of 2020

and

C.M.P(MD) Nos.599 & 600 of 2020

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Tr.C.M.P(MD)No.28 of 2020

Karthikeyan

... Petitioner / Respondent

-Vs-

R.Usha

... Respondent / Petitioner

Prayer: Transfer Civil Miscellaneous Petition filed under Section 24 of C.P.C.,to withdraw the H.M.O.P.No.82 of 2019 on the file of Sub Court, Jayamkondam and transfer to Family Court, Trichirappalli and to try along with H.M.O.P.No.82 of 2019 pending on the file of the Family court, Trichirappalli.

For Petitioner : Mr.M.Saravanakumar

Tr.C.M.P(MD)No.29 of 2020

Karthikeyan

... Petitioner

-Vs-

R.Usha

... Respondent

Prayer: Transfer Civil Miscellaneous Petition filed under Section 24 of C.P.C.,to withdraw the G.W.O.P.No.31 of 2019 on the file of Principal District Court, Ariyalur and transfer to Family Court, Trichirappalli and to try along with G.W.O.P.No.31 of 2019 pending on the file of the Family court, Trichirappalli.

For Petitioner : Mr.M.Saravanakumar

C O M M O N O R D E R

Prayers in these transfer petitions reads as follows:

"Prayer in Tr.C.M.P(MD)No.28 of 2020:- For the reasons stated in the accompanying affidavit, it is therefore prayed that this Hon'ble Court may be pleased to withdraw the H.M.O.P.No.82 of 2019 on the file of Sub Court, Jeyamkondam and transfer to Family Court, Trichirappalli and to try along with H.M.O.P.No.82 of 2019 pending on the file of the Family Court, Trichirappalli and pass such



further or other orders which may deem fit and proper in the facts and circumstances of the case thus render justice"

"Prayer in Tr.C.M.P(MD)No.29 of 2020:-For the reasons stated in the accompanying affidavit, it is therefore prayed that this Hon'ble Court may be pleased to withdraw the G.W.O.P.No.31 of 2019, on the file of Principal District Court, Ariyalur and transfer to Family Court, Trichirappalli and to try along with G.W.O.P.No.31 of 2019, pending on the file of the Family Court, Trichirappalli and pass such further or other orders which may deem fit and proper in the facts and circumstances of the case thus render justice."

2. A perusal of the papers reveals that there is only one H.M.O.P., pending on the file of the Sub Court, Jeyamkondam and one G.W.O.P., pending on the file of the Principal District Court, Ariyalur, therefore, the prayer itself is erroneous. Hence, both the transfer petitions are dismissed with liberty to the petitioner to file proper petition for transfer. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

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To

1. The Subordinate Judge,
Jayamkondam.
2. The Principal District Judge,
Ariyalur.

Tr.C.M.P(MD)Nos.28 & 29 of 2020
22.01.2020

SMA/03/02/2020/2P/3C