



Before the MADURAI Bench of Madras High Court

Dated: 16.03.2020

CORAM

THE HONOURABLE Mrs.JUSTICE R.THARANI

TR C.M.P (MD) No.151 of 2020

and

C.M.P. (MD) No.2861 of 2020

A.Muthayee

....Petitioner

-Vs-

M.Poovazhagar

...Respondent

Prayer: Transfer Civil Miscellaneous Petition is filed under Section 24 of Civil Procedure Code, to withdraw the case in H.M.O.P.No.188 of 2019 on the file of the Sub Court, Melur and to transfer the same to the Sub Court, Manamadurai, Sivagangai District.

For Petitioner

: Mr.R.Udhayakumar

O R D E R

This Transfer Civil Miscellaneous petition is filed by the petitioner / wife seeking to transfer H.M.O.P.No.188 of 2019 on the file of the Sub Court, Melur, Madurai District, to the file of the Sub Court, Manamadurai, Sivagangai District.

2. On the side of the petitioner, it is stated that the petitioner / wife is now residing at Tiruppuvanam Taluk, Sivagangai District and she has to take care of her eight months female baby and she finds it difficult to attend the Court at Melur. The respondent / husband has filed a petition in H.M.O.P.No.188 of 2019 on the file of the Sub Court, Melur, Madurai District, seeking for restitution of conjugal rights and prayed the case to be transferred to the Sub Court, Manamadurai, Sivagangai District.

3. The petitioner being a lady, has to take care of her eight months female baby and could not travel to Melur to attend the Court hearings. No prejudice will be caused to the respondent. Hence, in the interest of justice, the case pending before the Sub Court, Melur, in H.M.O.P.No.188 of 2019 is withdrawn and is transferred to the Sub Court, Manamadurai, Sivagangai District.



4. The Subordinate Judge, Melur, is directed to transmit the entire records in H.M.O.P.No.188 of 2019 to the Sub Court, Manamadurai, Sivagangai District.

5. The Subordinate Judge, Manamadurai, Sivagangai District, is hereby directed to issue sufficient notice to the respondent, after the case is transferred and renumbered.

6. With the above directions, this Transfer Civil Miscellaneous Petition is allowed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

To

1.The Subordinate Judge,
Manamadurai,
Sivagangai District.

2.The Subordinate Judge,
Melur.

+1 CC to M/s.R.UDHAYAKUMAR, Advocate (SR-11921[F] dated
16/03/2020)

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Ls
AE/12.05.2020/2P/4C