



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 21.01.2020

CORAM

WEB COPY

THE HON'BLE MR.JUSTICE R.SUBRAMANIAN

Tr.C.M.P(MD)No.523 of 2019

and

C.M.P(MD) No.12176 of 2019

Thiruselvi ... Petitioner

-Vs-

Muniyasamy ... Respondent

Prayer: Transfer Civil Miscellaneous Petition filed under Section 24 of C.P.C., to withdraw the H.M.O.P.No.218 of 2019, on the file of the Additional Sub Court, Kumbakonam, Thanjavur District and transfer the same to the Subordinate Judge, Muthukulathur, Ramanathapuram District.

For Petitioner : Mr.A.Arputharaj
For Respondent : No appearance

O R D E R

Despite the service, the respondent/husband has not appeared either in person or through counsel, duly instructed.

2. The petitioner/wife, who is facing the proceedings for restitution of conjugal rights in H.M.O.P.No.218 of 2019 before the Additional Sub Court, Kumbakonam, Thanjavur District, seeks transfer of the said proceedings to Sub Court, Muthukulathur on the ground of convenience.

3. It is seen that the petitioner has already filed a maintenance case in M.C.No.10 of 2019 seeking maintenance for herself and her three minor children who are 10,8 and 5 years old respectively. Even, H.M.O.P.No.218 of 2019 filed before the Additional Sub Court, Kumbakonam the petitioner is shown to be a resident of Peraiyur, Kamuthi Taluk of Ramanathapuram District.

4. Considering the convenience of the petitioner/wife and the fact that she has got three minor children to lookafter, I am of the considered opinion that the proceedings in H.M.O.P.No.218 of 2019 can be transferred to the file of Sub Court, Muthukulathur. Hence, this Transfer Civil Miscellaneous Petition is allowed and the proceeding in H.M.O.P.No.218 of 2019 is withdrawn from the file of the Additional Sub Court, Kumbakonam and transferred to the file of



Sub Court, Muthukulathur. The Additional Sub Court, Kumbakonam is directed to transmit the papers to the Sub Court, Muthukulathur forthwith. However, there will be no order as to costs. Consequently, connected miscellaneous petition is closed.

WEB COPY

Sd/-

Assistant Registrar (CS-III)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

am

To

1. The Additional Subordinate Judge,
Kumbakonam.
2. The Subordinate Judge,
Muthukulathur.

+1 CC to Mr.A.ARPUTHARAJ, Advocate (SR-2159[F] dated 21/01/2020)

Tr.C.M.P(MD)No.523 of 2019

21.01.2020

MK (27.01.2020) 2P 4C