



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.10.2020

CORAM

WEB COPY

THE HON'BLE MR.JUSTICE R.MAHADEVAN

Tr.C.M.P(MD)No.491 of 2019
and
C.M.P(MD) No.11426 of 2019

V.Preethu

... Petitioner

-Vs-

D.J.Satheesh

... Respondent

Prayer: Transfer Civil Miscellaneous Petition filed under Section 24 of C.P.C., to withdraw the H.M.O.P.No.187 of 2019 pending on the file of Principal Subordinate Judge, Thoothukudi and transfer the same to the file of Subordinate Judge, Virudhunagar, to be tried along with H.M.O.P.No.43 of 2019.

For Petitioner : Mr.S.Parthasarathy

For Respondent : No appearance

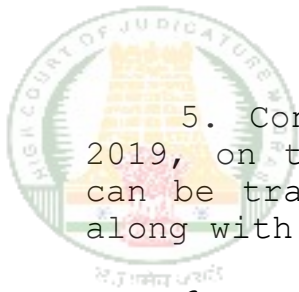
O R D E R

The petitioner/wife, who is facing the proceedings for restitution of conjugal rights at the instance of the husband in H.M.O.P.No.187 of 2019, on the file of the Principal Subordinate Judge, Thoothukudi, seeks transfer of the same to the Subordinate Judge, Virudhunagar to be tried along with petition for divorce filed by her in H.M.O.P.No.43 of 2019.

2. Admittedly, the wife resides at Virudhunagar district and transfer is sought for mainly on the ground of convenience.

3. The respondent/husband though served has not chosen to appear either in person or through counsel, duly instructed.

4. The subsequent case in H.M.O.P.No.187 of 2019, filed by the husband is nothing but counter blast, so as to harass the petitioner/wife.



5. Considering the convenience of the wife, H.M.O.P.No.187 of 2019, on the file of the Principal Subordinate Judge, Thoothukudi, can be transferred to Subordinate Judge, Virudhunagar, to be tried along with H.M.O.P.No.43 of 2019.

6. In view of the above, this Transfer Civil Miscellaneous Petition is allowed and the proceedings in H.M.O.P.No.187 of 2019 is withdrawn from the file of the Principal Subordinate Judge, Thoothukudi and transferred to Subordinate Judge, Virudhunagar, to be tried along with H.M.O.P.No.43 of 2019. The Court of Principal Subordinate Judge is directed to transmit the papers to the Court of Subordinate Judge, Virudhunagar, forthwith. The Subordinate Judge, Virudhunagar, is directed to dispose of the proceedings as expeditiously as possible, after due notice to both parties. However, there will be no order as to costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

pkn/am

To

1. The Principal Sub Judge,
Thoothukudi.
2. The Subordinate Judge,
Virudhunagar.

+1 CC to Mr.S.PARTHASARATHY, Advocate SR-19230.

Tr.C.M.P(MD)No.491 of 2019
06.10.2020

PM(CO)
CS(14.10.2020) 2P 4C