



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :25.08.2021

CORAM:

THE HONOURABLE MR.JUSTICE A.A.NAKKIRAN

Tr.C.M.P.No.424 of 2021
and
CMP.No.10431 of 2021

Brindha ...Petitioner/Respondent

-vs-

M. Maheshwaran ...Respondent/Petitioner

PRAYER: Transfer Civil Miscellaneous Petition is filed under Section 24 of the Code of Civil Procedure, to withdraw HMOP.No.202 of 2019 on the file of Sub- Court, Kovilpatti, and transfer the same to try along with HMOP.No.433 of 2020 on the file of the Subordinate Court, Poonamallee, Chennai.

For Petitioner : Mr.S.Srinivasa Narayanan

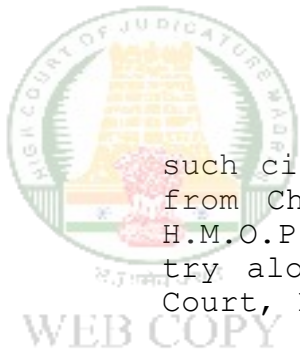
For Respondent : No Appearance

O R D E R

The present Transfer Civil Miscellaneous Petition is filed to withdraw HMOP.No.202 of 2019 on the file of Sub- Court, Kovilpatti, and transfer the same to try along with HMOP.No.433 of 2020 on the file of the Subordinate Court, Poonamallee, Chennai.

2. The petitioner/wife has filed HMOP.No.433 of 2020 before the Sub- Court, Poonamallee, seeking restitution of conjugal rights whereas the respondent/husband has filed HMOP.No.202 of 2019 before the Subordinate Court, Kovilpatti, Tuticorin, for dissolution of marriage.

3. The learned counsel for the petitioner/wife has submitted that the petitioner is residing in her parental home at Kundrathur, Chennai, which is nearly 500 kms from Kovilpatti. He further submitted that issues involved in both the cases are inter-related to each other, they have to be tried together. In



such circumstances, it is difficult for the petitioner to travel from Chennai to Kovilpatti for attending the Court hearing in H.M.O.P.No.202 of 2019. Hence, he seeks to transfer the same to try along with HMOP.No.433 of 2020 on the file of Subordinate Court, Poonamallee, Chennai.

4. Though notice has been served on the sole respondent, there is no representation for the respondent.

5. Considering the facts and circumstances of the case, H.M.O.P.No.202 of 2019 is withdrawn from the Subordinate Court, Kovilpatti, and transferred to the file of Sub-Court, Poonamallee, Chennai, for disposal as per law. The learned Subordinate Judge, Kovilpatti, is directed to transmit the papers to the file of the Sub-Court, Poonamallee, Chennai, forthwith. The learned Judge, Sub-Court, Poonamallee, Chennai, is directed to dispose of H.M.O.P.No.202 of 2019 on merits and in accordance with law as expeditiously as possible.

6. In fine, this Transfer Civil Miscellaneous Petition is allowed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

gv

To:

1. The Subordinate Judge,
The Subordinate Court,
Kovilpatti,
2. The Subordinate Judge
The Sub-Court,
Poonamallee, Chennai.

+1cc to Mr.S.Srinivasa Narayanan, Advocate, S.R.No.42742

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SRA(CO)
RGA(16/09/2021)