



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.11.2021

CORAM:

THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN

TR CMP NOS.698 AND 702 OF 2021
AND
CMP NOS.17301 AND 17356 OF 2021

A.Suguna ...Petitioner in Tr CMP No.698 of 2021 and
Respondent in Tr CMP No.702 of 2021

Vs

B.Aranganathan ...Respondent in Tr CMP No.698 of 2021 and
Petitioner in Tr CMP No.702 of 2021

Prayer in Tr.CMP No.698 of 2021 : Transfer Civil Miscellaneous
Petition filed under Section 24 of the Code of Civil Procedure,
1908, pleased to withdraw the HMOP No.37 of 2020 pending on the
file of the Family Court, Perambalur and transfer the same to
the Subordinate Court, Thuraiyur.

Prayer in Tr.CMP No.702 of 2021 : Transfer Civil Miscellaneous
Petitions filed under Section 24 of the Code of Civil Procedure,
1908, pleased to withdraw the HMOP No.80 of 2021, pending on the
file of the Subordinate Court, Thuraiyur and transfer the same
to the Family Court, Perambalur.

Tr CMP No.698 of 2021

For Petitioner : Mr.S.S.Karthikeyan

For Respondent : Mr.A.Murali

Tr CMP No.702 of 2021

For Petitioner : Mr.A.Murali

For Respondent : Mr.S.S.Karthikeyan

COMMON ORDER

The parties to the above two Transfer Civil Miscellaneous
Petitions are same. In Transfer CMP No.698 of 2021, the wife
seeks transfer of proceedings from the Family Court, Perambalur



to the Subordinate Court, Thuraiyur. In Transfer CMP No.702 of 2021, the husband seeks transfer of proceedings from the Subordinate Court, Thuraiyur to the Family Court, Perambalur.

2. The Petition in HMOP No.80 of 2021 which is pending on the file of the Subordinate Court, Thuraiyur is an application for restitution of conjugal rights filed by the wife and HMOP No.37 of 2020 pending on the file of the Family Court, Perambalur is for divorce, filed by the husband. The wife is admittedly a resident of Kottathur Village, Musiri Taluk, Trichi District near Thuraiyur. In the proceedings before the Sub Court, the presence of the parties for every hearing is not required for, unlike the Family Court. Therefore, I am of the considered opinion, it will be in the interest of the parties and more convenient to the parties, the proceedings are held at Sub Court, Thuraiyur where the parties can be represented through their counsels for regular hearings.

3. Considering the above circumstance, the proceedings in HMOP No.37 of 2020 which are pending on the file of the Family Court, Perambalur are withdrawn and transferred to the Sub Court, Thuraiyur, to be tried and disposed of along with HMOP No.80 of 2021 pending on the file of the Sub Court, Thuraiyur.

4. In fine, Tr.CMP No.702 of 2021 filed by the husband, is dismissed and Tr.CMP No.698 of 2021 filed by the wife, is allowed. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar(CS-VII)

//True Copy//

Sub Assistant Registrar

vum

To

1.The Family Court,
Perambalur.

2.The Subordinate Court,
Thuraiyur.

+1cc to Mr.S.Prabhu, Advocate, S.R.No.57738

Tr CMP Nos.698 and 702 of 2021 and
CMP Nos.17301 and 17356 of 2021

AK-II(CO)
RVM(25/11/2021)