

IN THE HIGH COURT OF JUDICATURE AT MADRAS  
DATED : 10.02.2021

CORAM

THE HON'BLE MR.JUSTICE S.M.SUBRAMANIAM  
Tr.C.M.P.No.529 of 2020  
and  
C.M.P.No.14110 of 2020

B.Madhurapriya

..Petitioner

Vs.

S.Premananth

..Respondent

Prayer : Transfer Civil Miscellaneous Petition filed under Section 24 of C.P.C., praying to withdraw H.M.O.P.No.29 of 2018 from the file of Sub-Court, Kumbakonam and transfer the same to the file of Court of Sub-Judge, Tambaram to be tried along with H.M.O.P.No.465 of 2016.

For Petitioner : Mrs.P.Srividhya

For Respondent : Mrs.R.Rasilasree

J U D G M E N T

The present case on hand is filed to withdraw H.M.O.P.No.29 of 2018 from the file of Sub-Court, Kumbakonam and transfer the same to the file of Court of Sub-Judge, Tambaram to be tried along with H.M.O.P.No.465 of 2016.

2.The marriage between the petitioner and the respondent was solemnized on 16.05.2010 as per the Hindu Rights and Customs. Out of the wedlock a male child was born on 02.02.2011. The respondent is employed in a software company in Chennai. On account of difference of opinions, the petitioner/wife left the matrimonial home and was living with her parents at Kumbakonam initially at that point of time she filed H.M.O.P.No.29 of 2018 for Restitution of Conjugal Rights. The respondent/husband filed H.M.O.P.No.465 of 2016 for dissolution of marriage before the Sub-Court, Tambaram.

3.The learned counsel for the petitioner states that now the petitioner has shifted her residence from Kumbakonam to Chennai and residing at Keelkattalai. The case filed by the respondent before the Sub Court, Tambaram is also transferred to Sub-Court, Alandur, on account of bifurcation of jurisdiction. Therefore, both the cases are to be tried before the Sub-Court, Alandur, enabling the parties to contest the case. The petitioner is now residing in Chennai along with her child. This being the factum, the case is to be transferred to Sub-Court, Alandur, in the interest of both the parties.

4. Accordingly, H.M.O.P.No.29 of 2018, pending before the Sub-Court, Kumbakonam and H.M.O.P.No.465 of 2016 now pending before the Sub-Court, Tambaram, are transferred to Sub Court, Alandur, for the purpose of joint trial.

5. Accordingly, Tr.C.M.P.No.529 of 2020 stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

Pns

To

- 1.The Subordinate Judge, Tambaram.
- 2.The Subordinate Judge, Kumbakonam.
- 3.The Subordinate Judge, Alandur.

+1cc to Mrs.P.Srividhya , Advocate SR.No. 7475

Tr.C.M.P.No.529 of 2020

A.SK(03.03.2021)

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