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Tr.C.M.P(MD)No.72 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.03.2021

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THE HON'BLE MR.JUSTICE R.SUBRAMANIAN

Tr.C.M.P (MD)No.72 of 2021

and

C.M.P (MD) No.1360 of 2021

Nambudevi ... Petitioner/Respondent
-Vs-
Karuppaiah ... Respondent /Petitioner

Prayer: Transfer Civil Miscellaneous Petition filed under Section 24 of Civil Procedure Code, to withdraw H.M.O.P.No.152 of 2020, from the file of the Sub Court, Devakottai and transfer the same to the file of the Sub Court, Ramanathapuram, for disposal of the same on merits in accordance with law.

For Petitioner : Mr.M.Kannan
For Respondent : No appearance

ORDER

The petitioner/wife seeks transfer of H.M.O.P.No.152 of 2020 filed by the husband seeking Restitution of Conjugal Rights, to the Sub Court, Ramanathapuram, to be heard along with H.M.O.P.No.20 of 2020, filed by her, seeking divorce, pending before the said Court.

2.Despite service, the respondent/husband is not appearing either in person or through counsel, duly instructed.

3.It is seen that the petition for divorce filed by the wife is earlier in point of time.

4.In view of the same and in order to avoid conflicting verdicts, H.M.O.P.No.152 of 2020, pending on the file of the Sub Court, Devakottai is withdrawn and transferred to the Sub Court, Ramanathapuram, to be tried along with H.M.O.P.No.20 of 2020. The Sub Court, Devakottai is directed to transmit the papers to the Sub Court, Ramanathapuram forthwith.

5. Accordingly, this Transfer Civil Miscellaneous Petition is allowed. However, there will be no order as to costs. Consequently, connected miscellaneous petition is closed.

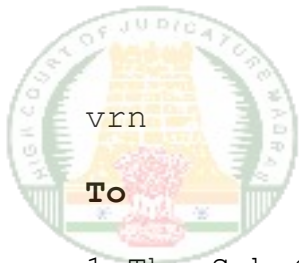
Sd/-

Assistant Registrar(CS-III)

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/ /2021

Sub Assistant Registrar(CS)



- 1.The Sub Court, Devakottai
- 2.The Sub Court, Ramanathapuram,
- 3.The Record Keeper, V.R.Section,
Madurai Bench of Madras High Court, Madurai(2 copies).

Order made in
Tr.C.M.P(MD)No.72 of 2021
and
C.M.P(MD) No.1360 of 2021
17.03.2021

ES (CO)
TR(25.03.2021) 2P 5C