



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : **25.06.2021**

CORAM:

THE HONOURABLE MR.JUSTICE A.A.NAKKIRAN

Tr.C.M.P. (MD) No.65 of 2020
and C.M.P. (MD) No.1153 of 2021

R.Nivetha ... Petitioner/Respondent

-vs-

P.Sathish Kumar ... Respondent/Petitioner

PRAYER: Transfer Civil Miscellaneous Petition is filed under Section 24 of the Code of Civil Procedure, to withdraw the HMOP.No.712 of 2019 pending before the Sub-Court, Tambaram and transfer the same to the Sub-Court, Trichy.

For Petitioner : Mr.C.Dhanaseelan

For Respondent : No Appearance

ORDER

The present Transfer Civil Miscellaneous Petition is filed to withdraw the HMOP.No.712 of 2019 pending before the Sub-Court, Tambaram and transfer the same to the Sub-Court, Trichy.

2.The learned counsel for the petitioner/wife submits that the respondent/husband has filed HMOP.No.712 of 2019 before the Sub Court, Tambaram for restitution of conjugal rights. It is further submitted that the petitioner is living with her parental home at Thirupathur, Trichy District and she is depending upon on her parents for her livelihood. Moreover, the distance between Trichy and Tambaram is about 280 kms. In such circumstances, it is difficult for the petitioner to travel from Trichy to Tambaram for attending every hearing in HMOP.No.712 of 2019 on the file of the Sub Court, Tambaram. Therefore, he seeks to transfer the case to the file of Sub Court, Trichy.

3.The learned counsel appearing for the respondent is not present.

4.Considering the facts and circumstances of the case and also considering the submissions made by the learned counsel for the petitioner, HMOP.No.712 of 2019 on the file of the Sub Court, Tambaram is withdrawn and transferred to the file of the Sub Court Trichy for disposal as per law. The learned Judge, Sub Court, Tambaram is directed to transmit the papers to the Subordinate Court, Trichy forthwith. The Subordinate Judge, Trichy is directed to dispose HMOP. No.712 of 2019 on merits and in accordance with



law, as expeditiously as possible.

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

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Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

gns
To

1.The Sub Court, Tambaram

2.The Subordinate Judge, Trichy.

+1 CC to M/s.C.DHANASEELAN, Advocate (SR-20373[F] dated 28/06/2021)

Tr.C.M.P. (MD) No.65 of 2020

25.06.2021

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