



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : **23.06.2021**

CORAM:

THE HONOURABLE MR.JUSTICE A.A.NAKKIRAN

Tr.C.M.P. (MD) No.181 of 2021

and C.M.P. (MD) No.3435 of 2021

WEB COPY

A.Radha

... Petitioner/Respondent

-vs-

V.P.Venkatraman

... Respondent/Petitioner

PRAYER: Transfer Civil Miscellaneous Petition is filed under Section 24 of the Code of Civil Procedure, to withdraw the HMOP.No.17 of 2019 on the file of the Subordinate Judge, Tiruchendur and transfer the same to the file of the Additional Subordinate Court, Tirunelveli to be tried along with HMOP.No.26 of 2020.

For Petitioner : Mr.R.J.Karthick

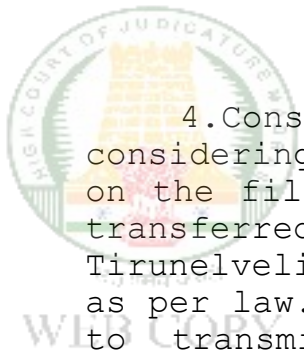
For Respondent : Mr.P.T.Ramesh Raja

O R D E R

The present Transfer Civil Miscellaneous Petition is filed to withdraw the HMOP.No.17 of 2019 on the file of the Subordinate Judge, Tiruchendur and transfer the same to the file of the Additional Subordinate Court, Tirunelveli to be tried along with HMOP.No.26 of 2020.

2.The learned counsel for the petitioner/wife submits that the respondent/husband has filed HMOP.No.17 of 2019 before the Subordinate Court, Tiruchendur for dissolution of marriage. The petitioner/wife has filed HMOP.No.26 of 2020 before the Additional Subordinate Court, Thirunelveli for restitution of conjugal rights. It is further submitted that the petitioner and her child, who is aged about 4 years are living with her parental home at Tirunelveli. The distance between Tirunelveli and Tiruchendur is about 65 kms and it takes two hours travel to reach Court. In such circumstances, it is difficult for the petitioner to travel from Tirunelveli to Thiruchendur for attending every hearing in HMOP.No.17 of 2019 on the file of the Subordinate Court, Tiruchendur. Therefore, he seeks to transfer the case in HMOP.No.17 of 2019 to the file of Additional Subordinate Court, Tirunelveli to be tried along with HMOP.No.26 of 2020.

3. The learned counsel for the respondent/husband has no objection for transferring the case.



4.Considering the facts and circumstances of the case and also considering the submissions made by both counsel, HMOP.No.17 of 2019 on the file of the Subordinate Court, Tiruchendur is withdrawn and transferred to the file of the Additional Subordinate Court, Tirunelveli, to be tried along with HMOP.No.26 of 2020 for disposal as per law. The learned Subordinate Judge, Tiruchendur, is directed to transmit the papers to the Additional Subordinate Court, Tirunelveli, forthwith. The Additional Subordinate Judge, Tirunelveli, is directed to dispose H.M.O.P.No.17 of 2020 along with HMOP.No.26 of 2020 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.

Sd/-

Assistant Registrar (CS-II)

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/ /2021

Sub Assistant Registrar(CS)

gns

To

1.The Subordinate Judge,
Tiruchendur.

2.The Additional Subordinate Judge,
Tirunelveli.

Tr.C.M.P. (MD) No.181 of 2021

23.06.2021

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