



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.01.2021

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THE HON'BLE MR.JUSTICE R.SUBRAMANIAN

Tr.C.M.P(MD)No.250 of 2020
and
C.M.P(MD) No.5606 of 2020

V.Devi Prasanna

... Petitioner/Respondent

-Vs-

B.Dinesh

... Respondent /Petitioner

Prayer: Transfer Civil Miscellaneous Petition filed under Section 24 of C.P.C., to withdraw and transfer HMOP No.48 of 2020, on the file of the Principal Sub Judge, Melur and try along with HMOP No.210 of 2020, on the file of Family Court, Sivagangai.

For Petitioner : Mr.N.Murugesan
For Respondent : Mr.P.Santhana Krishnan

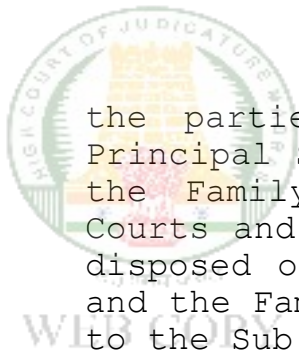
O R D E R

The wife, who has initiated the proceedings for divorce in HMOP No.210 of 2020, on the file of the Family Court, Sivagangai, seeks transfer of HMOP No.48 of 2020 filed by the husband on the file of Principal Sub Court, Melur, seeking Restitution of Conjugal Rights to the Family Court, Sivagangai, to be tried along with HMOP NO.210 of 2020.

2. Heard Mr.N.Murugesan, the learned counsel for the petitioner and Mr.P.Santhana Krishnan, the learned counsel for the respondent.

3.The learned counsel for the petitioner would submit that though the distance between Sivagangai and Melur is not much, the wife is finding it difficult to travel with her 7 months old child and she also apprehends danger to her life, as the family members of the respondent belong to the police force.

4. Considering the convenience of the parties, I am of the opinion that both the cases can be transferred to Sub Court, Sivagangai, to be tried and disposed of, in accordance with law. The proceedings before the Sub Court do not require the presence of the parties for every hearing. This would be an added convenience for



the parties. Hence, HMOP No.48 of 2020, on the file of the Principal Sub Court, Melur and HMOP No.210 of 2020, on the file of the Family Court, Sivagangai are withdrawn from the respective Courts and transferred to the Sub Court, Sivagangai to be tried and disposed of in accordance with law. The Principal Sub Court, Melur and the Family Court, Sivagangai are directed to transmit the papers to the Sub Court, Sivagangai forthwith.

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

Sd/-

Assistant Registrar ()

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

vrn

To

1. The Principal Sub Court, Melur
2. The Family Court, Sivagangai
3. The Sub Court, Sivagangai
- 4.The Record Keeper, V.R.Section, (2 copies)
Madurai Bench of Madras High Court,
Madurai.

+1 CC to Mr.N.MURUGESAN, Advocate (SR-1741[F] dated 22/01/2021)

Order made in
Tr.C.M.P(MD)No.250 of 2020
and
C.M.P(MD) No.5606 of 2020
21.01.2021

VB (09.02.2021) 2P 7C