



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 29.03.2022

CORAM :

THE HONOURABLE MRS.JUSTICE S.ANANTHI

Tr.C.M.P. (MD) .No.478 of 2021

and

C.M.P. (MD)No.9003 of 2021

S.Priya ...Petitioner/Respondent

Vs.

S.Suresh Sundarrajan ...Respondent/Petitioner

PRAYER: Transfer Civil Miscellaneous Petition filed under Section 24 of the Civil Procedure Code, to withdraw H.M.O.P.No.58 of 2021 on the file of the Sub Court, Paramakudi, and transfer the same for joint trial along with H.M.O.P.No.116 of 2020 before the Sub Court, Devakottai.

For Petitioner : Mr.B.Muruganandam
For Respondent : Mr.V.Meenakshi Sundaram

O R D E R

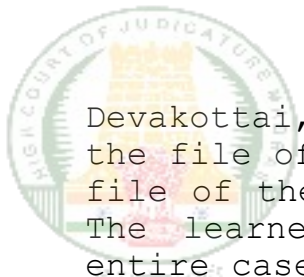
This Transfer Civil Miscellaneous Petition has been filed seeking direction to withdraw and transfer the case in H.M.O.P.No.58 of 2021 from the file of the Sub Court, Paramakudi, to the file of the Sub Court, Devakottai, for joint trial along with H.M.O.P.No.116 of 2020.

2.Heard on either side and perused the material documents placed before this Court.

3.The revision petitioner herein/wife has filed a petition in H.M.O.P.No.116 of 2020 for restitution of conjugal rights and the respondent herein/husband has filed a petition in H.M.O.P.No.58 of 2021 seeking divorce.

4.The learned counsel appearing for the respondent/husband submitted that there is a life threat in Devakottai and hence, he raised an objection to transfer the petition in H.M.O.P.No.58 of 2021 to the file of the Subordinate Court, Devakottai.

5.Considering the facts and circumstances of the case and also considering the fact that the petitioner/wife is residing in



Devakottai, the case in H.M.O.P. No.58 of 2021 is withdrawn from the file of the learned Sub Court, Paramakudi and transferred to the file of the learned Sub Court, Devakottai, for disposal as per law. The learned Sub Judge, Paramakudi, is directed to transmit the entire case papers to the file of the learned Sub Court, Devakottai, forthwith. The learned Sub Judge, Devakottai, is directed to conduct joint trial in H.M.O.P.Nos.116 of 2020 and 58 of 2021 and dispose the same on merits and in accordance with law as expeditiously as possible. Both the parties are directed to appear before the learned Sub Judge, Devakottai.

6. In the result, this Transfer Civil Miscellaneous Petition is allowed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (T&P)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

ksa

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the Advocate/litigant concerned.

To

1.The Sub Judge, Devakottai.

2.The Sub Judge, Paramakudi.

+1 CC to M/s.B.MURUGANANDAM, Advocate (SR-15263[F] dated 30/03/2022)

+1 CC to M/s.D.NALLATHAMBI, Advocate (SR-15433[F] dated 30/03/2022)

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RD(26.04.2022) 2P 5C