



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 16.02.2022

CORAM :

WEB COPY

THE HONOURABLE MRS.JUSTICE S.ANANTHI

Tr.C.M.P(MD).No.626 of 2021

and

C.M.P(MD)No.11240 of 2021

Shanmugapriya

...Petitioner/Respondent

Vs.

Kuthalingam

...Respondent/Petitioner

PRAYER: This Transfer Civil Miscellaneous Petition filed under Section 24 of Civil Procedure Code, to withdraw the case in H.M.O.P.No.178 of 2021 pending before Principal Sub Court, Tenkasi and transfer the same to the Sub Court, Virudhunagar.

For Petitioner : Mr.S.Muniyandi
For Respondent : No Appearance

O R D E R

This Petition is filed to withdraw the case in H.M.O.P.No.178 of 2021 pending before Principal Sub Court, Tenkasi and transfer the same to the Sub Court, Virudhunagar.

2.The learned counsel for the petitioner submitted that the said H.M.O.P.No.178 of 2021 was filed by the respondent/husband, for restitution of conjugal rights before the Principal Sub Court, Tenkasi. Since the petitioner is residing at Kuraigundu Village, Virudhunagar Taluk and having two years old child, she cannot able to travel along with her child from Virudhunagar to Tenkasi to attend the Court hearings. Hence, she seeks to transfer the case as prayed for.

3.Considering the facts and circumstances of the case and also considering the submission made the learned counsel for the petitioner, HMOP.No.178 of 2021 is ordered to be withdrawn from the file of Principal Sub Court, Tenkasi and transferred to the file of Sub Court, Virudhunagar and to dispose of the same as per law as expeditiously as possible.

4.With the above direction, the Transfer Civil Miscellaneous Petition is allowed. No costs. Consequently, connected



miscellaneous petition is closed.

Sd/-

Deputy Registrar (Accounts)

// True Copy //

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/ /2022

Sub Assistant Registrar(CS)

vsd

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 Principal Sub Judge,
Tenkasi.

2.The Sub Judge,
Virudhunagar.

+1 CC to M/s.S.MUNIYANDI, Advocate (SR-6659[F] dated 17/02/2022)

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MGJ(05.03.2022) 2P 4C