



Tr.C.M.P.(MD).No.46 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.03.2024

CORAM

THE HON'BLE MR.JUSTICE G.ILANGO VAN

Tr.C.M.P.(MD).No.46 of 2024
and C.M.P.(MD).No.531 of 2024

S.Muthukumar

... Petitioner/Petitioner

Vs.

S.P.Muthumeena

... Respondent/Respondent

PRAYER : Transfer Civil Miscellaneous Petition filed under Section 24 of the Civil Procedure Code, to withdraw the H.M.O.P.No.76/2021 pending on the file of the Sub Court at Devakottai and transfer the same to the file Sub Court, Thirumayam to be tried along with H.M.O.P. No. 122/2023.

For Petitioner : Mr.V.S.Badrinath

For Respondent : Mr.K.G.Arunkumar

ORDER

This petition has been filed withdraw the H.M.O.P.No.76/2021 pending on the file of the Sub Court at Devakottai and transfer the same to the file Sub Court, Thirumayam to be tried along with H.M.O.P. No.



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122/2023.

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2.The facts in brief:

The marriage was solemnized between the parties on 12.09.2018. Thereafter dispute was arose between the parties. Due to which the respondent filed H.M.O.P.No.70 of 2021 seeking divorce before the Subordinate Court, Pudukkottai. Thereafter, it was transferred to the Subordinate Court, Thirumayam and renumbered as H.M.O.P.No. 122 of 2023. In the meantime, the petitioner filed H.M.O.P.No.76 of 2021 before the Subordinate Court, Devakottai seeking restitution of conjugal rights. To try the above said two cases, this petition has been filed seeking transfer of H.M.O.P.No.76 of 2021 from Sub Court, Devakottai to Sub Court, Thirumayam.

3.Heard both sides.

4.The learned counsel for the respondent would submit that the respondent has no objection to transfer the case.



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5.Considering the facts and circumstances of the case and considering the submission made by the respondent's counsel, the H.M.O.P.No.76 of 2021 filed by the respondent on the file of the Sub Court, Devakottai, is ordered to be withdrawn and transferred to the Sub Court, Thirumayam to try along with H.M.O.P.No.122 of 2023.

6.Accordingly, this transfer civil miscellaneous petition is allowed.

No costs. Consequently, connected miscellaneous petition is closed.

25.03.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
TM

To

1.The Subordinate Judge, Devakottai.

2.The Subordinate Judge, Thirumayam.

3.The Section Officer,
E.R.Section/V.R.Section,
Madurai Bench of Madras High Court, Madurai.



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G.ILANGO VAN,J.

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