



Tr.C.M.P.(MD).No.446 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.03.2024

CORAM

**THE HON'BLE MR.JUSTICE G.ILANGO VAN**

**Tr.C.M.P.(MD).No.446 of 2023**  
**and C.M.P.(MD).No.9399 of 2023**

Shanmugam

... Petitioner/Petitioner

Vs.

Bhavani

... Respondent/Respondent

**PRAYER :** Transfer Civil Miscellaneous Petition filed under Section 24 r/w. Section 151 of the Civil Procedure Code, to withdraw the case on the file of the Sub Judge, Devakottai, Sivagangai district, in HMOP No. 177/2022 and transfer the same to the learned Principal District Judge, Sivagangai District and try along with in GWOP NO. 68/2022 on the file of Principal District Judge, Sivagangai District.

For Petitioner : Mr.S.Saravana Kumar

For Respondent : Ms.S.Prabha

**ORDER**

This petition has been filed to withdraw the case on the file of the Sub Judge, Devakottai, Sivagangai district, in HMOP No. 177/2022 and



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transfer the same to the learned Principal District Judge, Sivagangai District and try along with in GWOP NO. 68/2022 on the file of Principal District Judge, Sivagangai District.

**2.The facts in brief:**

The marriage between the parties was solemnized on 06.02.2019. Out of the above said wedlock they blessed with a male child. Thereafter due to matrimonial dispute the petitioner has filed divorce petition in H.M.O.P.No.177 of 2022 before the Sub Court, Devakottai at the same time, G.W.O.P.NO.68 of 2022 before the Principal District, Sivagangai. The respondent also filed G.W.O.P.NO.92 of 2022 before the same Court. In the interest of justice, all these cases have to be tried together. Hence, seeking transfer of the same, this petition has been filed.

**3.Heard both sides.**

4.The learned counsel for the respondent would submit that only to prolong the issue, now the petition came to be filed.



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5.Two matters are pending before the District Court, Sivagangai.

All the matters have to be clubbed together and common order has to be passed. For that purpose, the matter pending before the Sub Court, Devakottai in H.M.O.P.No.177 of 2022 is ordered to be withdrawn and transferred to the Principal District Court, Sivagangai, to try along with G.W.O.P.No.68 of 2022 and 92 of 2022, pending there.

6.Accordingly, this transfer civil miscellaneous petition stands allowed. No costs. Consequently, connected miscellaneous petition is closed.

**27.03.2024**

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

To

- 1.The Subordinate Judge, Devakottai.
- 2.The Principal District Judge, Sivagangai.
- 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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