

Tr.C.M.P(MD)No.128 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.03.2025

CORAM

THE HON'BLE MR.JUSTICE P.VADAMALAI

Tr.C.M.P(MD)No.128 of 2025

and

C.M.P(MD)No.2988 of 2025

R.Vanitha

... Petitioner

Vs.

R.Krishnakumar

... Respondent

PRAYER : Transfer Civil Miscellaneous Petition is filed under Section 24 of the Code of Civil Procedure, to withdraw H.M.O.P.No.168 of 2024 on the file of the Subordinate Court, Kovilpatti, Thoothukudi District and transfer the same to the file of the Subordinate Court, Alandur, Chengalpattu District to try along with H.M.O.P.No.2124 of 2021 on the file of the Subordinate Court, Alandur, Chengalpattu District.

For Petitioner : Ms.M.Maria Vinola

For Respondent : Mr.S.Siva Ilayaraja



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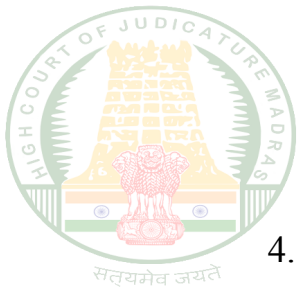
ORDER

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This Transfer Civil Miscellaneous Petition is filed to withdraw the case in H.M.O.P.No.168 of 2024 from the file of the Subordinate Court, Kovilpatti, Thoothukudi District and transfer the same to the file of the Subordinate Court, Alandur, Chengalpattu District, to try along with H.M.O.P.No.2124 of 2021 on the file of the Subordinate Court, Alandur, Chengalpattu District.

2. The petitioner is the wife and the respondent is the husband. The marriage between the petitioner and the respondent was solemnized on 27.05.2018 at Sri Kalugasalamoorthy Murugan Temple, Kalugumalai as per Hindu rites and customs. Out of wedlock, they have no child. Due to misunderstanding between the parties, they have separated and the petitioner/wife has already filed a petition in H.M.O.P.No.2124 of 2021 on the file of the Subordinate Court, Alandur, seeking divorce. The respondent/husband has filed the petition in H.M.O.P.No.168 of 2024 on the file of the Subordinate Court, Kovilpatti, Thoothukudi District, for restitution of conjugal rights.

3. Heard the learned counsel for the petitioner and the learned counsel for the respondent.



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4. The learned counsel for the petitioner submitted that the petitioner is residing at Chennai and the petitioner being a lady, finds it very difficult to travel such a long distance to attend every Court hearing at Kovilpatti. Hence, she seeks to transfer the case as prayed for.

5. The learned counsel for the respondent would submit that the respondent has no objection to allow this petition without admitting the allegations made in the affidavit filed in support of this petition.

6. Submissions of both sides considered. Considering the facts and circumstances of the case and also considering the convenience of the petitioner/wife, without going into the merits of the case, this Court is inclined to allow this petition.

7. Accordingly, this Transfer Civil Miscellaneous Petition is allowed and H.M.O.P.No.168 of 2024 pending on the file of the Sub Court, Kovilpatti, is hereby withdrawn and transferred to the file of the Sub Court, Alandur. The learned Sub Judge, Kovilpatti, is directed to transmit the entire records pertaining to the case in H.M.O.P.No.168 of 2024 to the transferee Court, within a period of two weeks from the date of receipt of a copy of this order.



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On receipt of records, the learned Sub Judge, Alandur, is directed to take the case on file and to try this case along with H.M.O.P.No.2124 of 2021 and dispose of both the cases according to law. No costs. Consequently, the connected Miscellaneous Petition is closed.

21.03.2025

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
VSD

To

- 1.The Sub Court, Kovilpatti
- 2.The Sub Court, Alandur,
Chengalpattu District.
- 3.The Section Officer,
Vernacular Section,
Madurai Bench of Madras High Court,
Madurai.



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P.VADAMALAI, J.

VSD

Order made in
Tr.C.M.P(MD)No.128 of 2025
and
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21.03.2025