

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.06.2015

CORAM

THE HONOURABLE MR. JUSTICE N. KIRUBAKARAN

TR. C.M.P. No. 212 of 2014

&

M.P. No. 1 of 2014

M. Malini

..Petitioner

Vs.

N. Madhan

..Respondent

Prayer: Petition to withdraw the petition in H.M.O.P. No. 774 of 2013 from the file of Family Court, Madurai and transfer the same to Sub Court, Udumalpet, to be tried along with H.M.O.P. No. 12 of 2014 on the file of Sub Court, Udumalpet.

For Petitioner :: Mr.S. Prasath

For Respondent :: Mr.T. Padmanabhan
- No appearance

O R D E R

The wife has come before this Court seeking to withdraw H.M.O.P. No. 774 of 2013 filed by the respondent/husband for divorce before the Family Court, Madurai and transfer the same to the file of Sub Court, Udumalpet, to be tried along with H.M.O.P. No. 12 of 2014 filed by the petitioner for restitution of conjugal rights.

2. Heard the learned counsel for the petitioner. Though the name of the respondent's counsel is printed in the cause list, there is no representation on his behalf and therefore, this Court proceeds to decide the matter on merits.

3. It is seen that the petitioner/wife is residing along with her parents in Udumalpet and it is impossible for a lady to travel 320 Kms, up and down, to appear before Family Court, Madurai and moreover, she is dependent on her parents for her livelihood.

4. In such circumstances, it is appropriate to withdraw H.M.O.P. No. 774 of 2013, pending on the file of Family Court, Madurai and transfer the same to the file of Sub Court, Udumalpet, to be tried along with H.M.O.P. No. 12 of 2014 filed by the petitioner before the said Court.

5. Hence, H.M.O.P. No. 774 of 2013 pending on the file of Family Court, Madurai is withdrawn and transferred to the file of Sub Court, Udumalpet, to be tried along with H.M.O.P. No. 12 of 2014. The transfer C.M.P. is disposed of accordingly. No costs. Connected M.P. is closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

nv

To
The Family Court, Madurai
The Sub Court, Udumalpet.

+1cc to Mr.K.C. Maniyarasu, Advocate, S.R.No.31526

RSI (CO)
EU (15/07/2015)

Tr.C.M.P. No. 212 of 2014

सत्यमेव जयते

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