

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.11.2017

CORAM :

THE HONOURABLE Mrs. JUSTICE PUSHPA SATHYANARAYANA

Tr.C.M.P.No.541 of 2016
and C.M.P.No.14465 of 2016

1. R. Govind
2. Subbulakshmi
3. Rajagopal ... Petitioners

versus

M. Srividya ... Respondent

Prayer: This transfer petition has been filed under Section 24 of C.P.C. praying to withdraw and transfer proceedings in D.V.A.No.9 of 2016 on the file of Judicial Magistrate No.7, Coimbatore to be jointly tried along with H.M.O.P.No.1531 of 2015 on the file of Family Court, Coimbatore.

For Petitioners : Mr.S.Mukunth
for M/s.Sarvabhauman Associates
For Respondent : Mr.J.Titus Enock

ORDER

This transfer petition is filed seeking to withdraw D.V.A.No.9 of 2016,

along with H.M.O.P.No.1531 of 2015, on the file of Family Court, Coimbatore.

2. As orders are passed in Tr.C.M.P.No.236 of 2017 to transfer the H.M.O.P.No.1531 of 2015, from the file of Family Court, Coimbatore to the file of Family Court, Tirunelveli, the prayer becomes infructuous. Besides, Section 24 of C.P.C. is not applicable to the matters filed before the Judicial Magistrate.

3. Heard the learned counsel for the petitioners as well as learned counsel for the respondent.

4. It is stated that the wife has already filed CrI.O.P.No.4003 of 2017 before this Court, seeking transfer of D.V.A.No.9 of 2016, pending on the file of Judicial Magistrate No.VII, Coimbatore to the file of Family Court, Tirunelveli to be tried along with H.M.O.P.No.1531 of 2015 and the same is said to be pending.

5. In view of the above, the Transfer Civil Miscellaneous Petition is dismissed. No Costs. Consequently, Connected miscellaneous petition is closed.

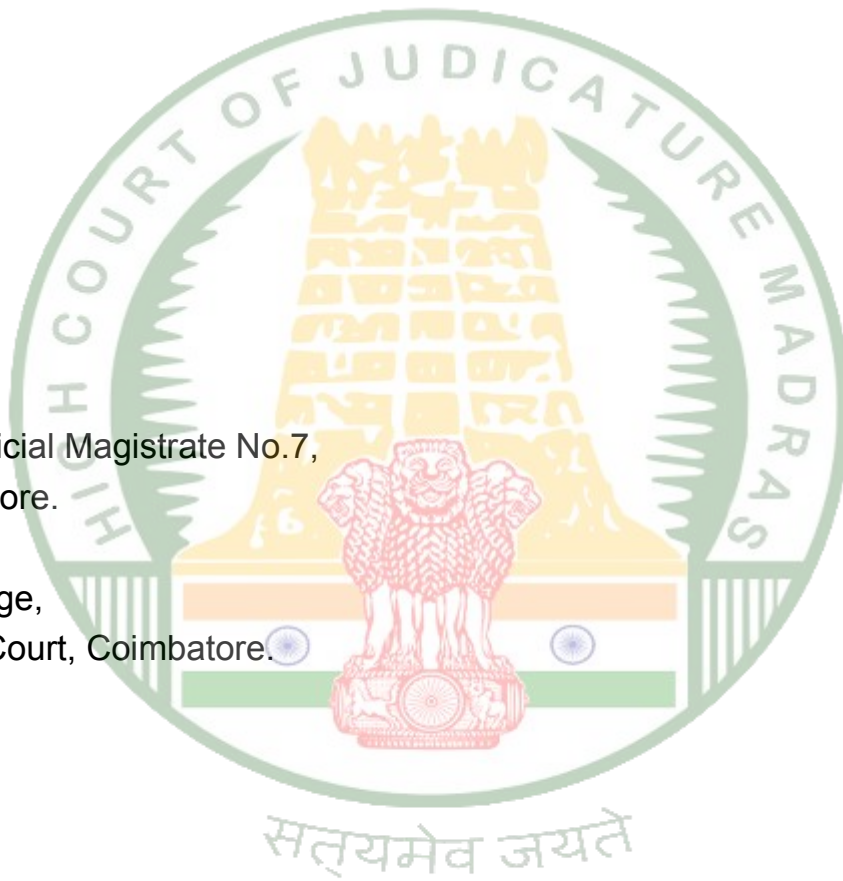
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To

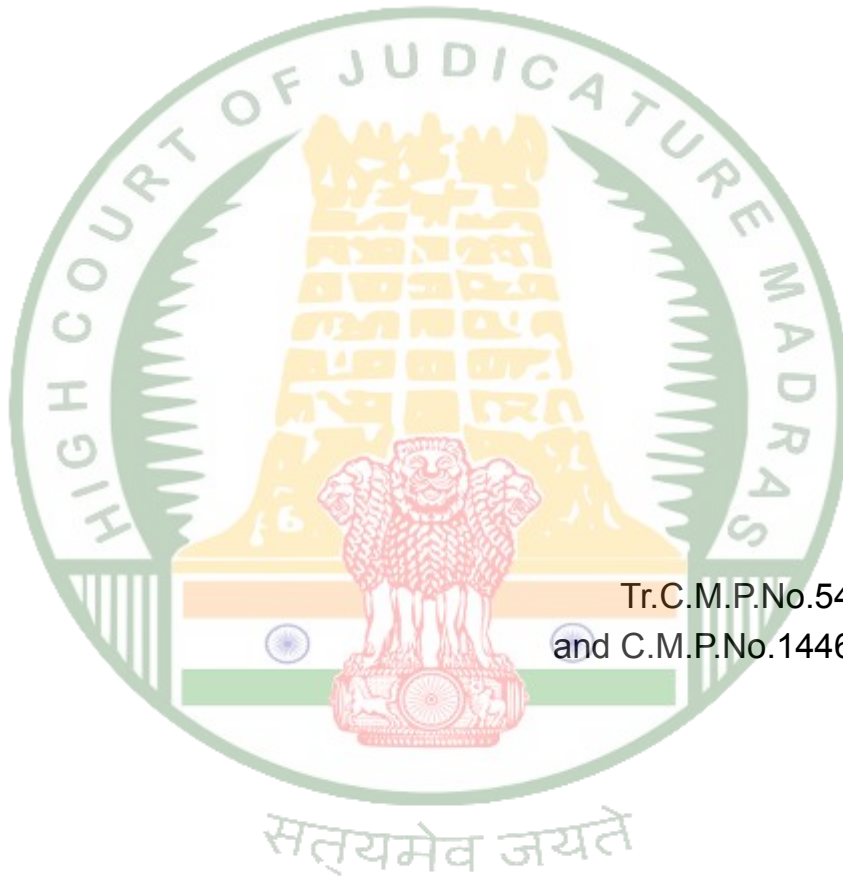
1. The Judicial Magistrate No.7,
Coimbatore.
2. The Judge,
Family Court, Coimbatore.



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PUSHPA SATHYANARAYANA, J.

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