



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 09.06.2017

CORAM :

THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN

Tr.C.M.P (MD) No.165 of 2017

V.Saravanan

... Petitioner/Respondent

Vs.

Logambal @ Vasanthi

... Respondent/Petitioner

Prayer: Petition filed under Section 24 of Civil Procedure Code to withdraw the case in H.M.O.P.No.111 of 2016 on the file of Principal Sub Court, Thiruchirappalli and transfer the same to the Family Court, Thiruchirappalli, to be tried along with the cases in H.M.O.P.No.347 of 2016, G.W.O.P.No.25 of 2016 and M.C.No.96 of 2016 which are pending on its file.

For Petitioner : Mr.K.Sivabalan

For Respondent : No appearance

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O R D E R

The husband, who is the petitioner in H.M.O.P.No.111 of 2016 filed for divorce on the ground of cruelty, is the petitioner. The transfer is sought for from the file of the Principal Sub Court, Tiruchirappalli, to the file of the Family Court, Tiruchirappalli, on the ground that the petition for restitution of conjugal rights filed by the respondent/wife in H.M.O.P.No.347 of 2016; G.W.O.P.No.25 of 2016 and a maintenance case in M.C.No.96 of 2016 are pending on the file of the Family Court, Tiruchirappalli.

2. Though the respondent/wife has been served on 01.05.2017, she has neither chosen to appear in person nor she has engaged a Counsel duly instructed.

3. In the light of the pendency of the above three proceedings before the Family Court, Tiruchirappalli, I deem it fit to withdraw the proceedings in H.M.O.P.No.111 of 2016 from the file of the Principal Sub Court, Tiruchirappalli and transfer the same to the file of the Family Court, Tiruchirappalli, to be tried along with H.M.O.P.No.347 of 2016, G.W.O.P.No.25 of 2016 and M.C.No.96 of 2016. The Principal Sub Court, Tiruchirappalli is directed to transmit the papers in H.M.O.P.No.111 of 2016 to the Family Court, Tiruchirappalli, within a period of two weeks from the date of receipt of a copy of this order.



6. In the result, this Transfer Civil Miscellaneous Petition is ordered as above. No costs. Consequently, the connected civil miscellaneous petition is closed.

Sd/-

Assistant Registrar

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/ True Copy /

Sub Assistant Registrar(C.S.)

To

1. The Principal Sub Court, Thiruchirappalli.

2.The Family Court, Thiruchirappalli.

+1cc to M/S.K.SIVABALAN, Advocate SR.No.59453

rsb

MAS/MR/SAR 2/20.06.2017/2P/4C

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