

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Civil Appellate Jurisdiction)

Wednesday, the Fifth day of September Two Thousand Eighteen

PRESENT

THE HON`BLE MR JUSTICE M.S. RAMESH

TR CMP NO.626 OF 2018

and CMP.NO.15369/2018

R.RADHA [PETITIONER IN BOTH THE PETITIONS]

Vs

A.KUMAR [RESPONDENT IN BOTH THE PETITIONS]

Petitions praying that in the circumstances stated therein and in the respective affidavits filed therewith the High Court will be pleased to

(i) To withdraw HMOP.NO.163/2018 on the file of the Learned Family Court, Dharmapuri and to Transfer the same to the Learned Sub Court, Gudiyatham to try along with HMOP.No.98/2017 (in TR CMP.626/2018) and;

(ii) To stay all further proceedings in HMOP.NO.163/2018 on the file of the Learned Family Court, Dharmapuri in the (in CMP.15369/2018) pending disposal of the above Transfer Petition.626/2018 respectively.

Order : These petitions coming on for orders upon perusing the petitions and the respective affidavits filed in support thereof and upon hearing the arguments of M/S.N.MANOKARAN, Advocate for the petitioner in both the petitions the court made the following order:-

It is seen that when the proceedings initiated by the petitioner herein on 09.10.2017 for divorce before Sub Court, Gudiyatham was pending, the respondent herein had filed H.M.O.P. No.163/2018 on 06.07.2018 before Family Court, Dharmapuri seeking restitution of conjugal rights.

2. According to the learned counsel, the petitioner had faced life threat on various occasions and she also put up to lot of inconvenience to travel about 300 Kms to attend the hearings in H.M.O.P.No. 163 of 2018.

3. All these aspects require further deliberations.

4. Notice to the respondent returnable by 11.10.2018. Private Notice is also permitted. The learned counsel for the revision petitioner is permitted to serve notice on the learned counsel appearing for the respondent before the trial Court.

5. Post the matter on 11.10.2018

6. There shall be an order of interim stay till then.

-sd/-

05/09/2018

/ TRUE COPY /

Sub-Assistant Registrar (Statistics / C.S.)
High Court, Madras - 600 104.

TO

1 THE JUDGE,
FAMILY COURT, DHARMAPURI.

C.C. to M/S.N.MANOKARAN Advocate Sr.No.10744

Order

in
TR CMP.626/2018

and CMP.15369/2018

Date :05/09/2018

From 26.2.2001 the Registry is issuing certified
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RRI 12/09/2018