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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 06.08.2018
CORAM
THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

TR.C.M.P.(MD).No.179 of 2018 and
C.M.P.(MD)No.4308 of 2018

Muthureka

... Petitioner

Vs.

P.Ananth

... Respondent

PRAYER : Transfer Civil Miscellaneous Petition is filed under Section 24 of Civil Procedure Code, to withdraw the case pending on the file of the Subordinate Court, Thoothukudi in H.M.O.P.No.20 of 2018 and to transfer the same to Family Court, Madurai.

For Petitioner : Mr.A.Balaji

For Respondent : Mr.S.Deenadhayalan

ORDER

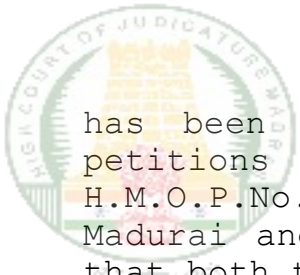
The petitioner before this Court is the wife of the respondent. The marriage between the two was solemnized on 10.12.2014, at Tuticorin. A child was born to the parties. It appears that the marital relationship between the two has come under strain. Therefore, the respondent filed H.M.O.P.No.20 of 2018 before the Subordinate Court, Tuticorin, seeking dissolution of the marriage.

2. To transfer the said proceedings from the Subordinate Court, Tuticorin, this Transfer Civil Miscellaneous petition has been filed.

3. The learned counsel appearing for the respondent pointed out that the respondent is presently working at Chennai. He also submitted that the petitioner is also working at Chennai. When both the parties are now working at Chennai, there is no point in transferring the case to Madurai. Since both the parties are now working at Chennai, this Court is of the view that interest of justice will be better served by withdrawing the H.M.O.P.No.20 of 2018 from the Subordinate Court, Tuticorin and transferring the same to the Family Court, at Chennai.

4. The learned Judge, Principal Family Court, Chennai, will assign the H.M.O.P.No.20 of 2018 to any Family Court, at Chennai.

5. At this stage, the learned counsel for the petitioner pointed out that the petitioner has filed a petition for restitution of conjugal rights before the Family Court, at Madurai and the same



has been numbered as H.M.O.P.No.100 of 2018. Since both these petitions are interconnected, this Court withdraws the H.M.O.P.No.100 of 2018 pending on the file of the Family Court, Madurai and transfers the same to the Family Court at Chennai, so that both these petitions can be tried and disposed of together.

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6. The Transfer Civil Miscellaneous petition stands allowed, accordingly. No costs. Consequently, connected Miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS-II)

/True Copy/

Sub Assistant Registrar(CS-III)

To

1. The Judge,
Principal Family Court, Chennai.
2. The Subordinate Judge,
Thoothukudi.
3. The Judge,
Family Court, Madurai.
4. The Record Keeper, V.R.Section,
Madurai Bench of Madras High Court, Madurai. **(2 copies)**

+1CC to Mr.A.Balaji, Advocate, SR.No.77679

+1CC to Mr.S.Deenadhayalan, Advocate, SR.No. 77408

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