



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **04.09.2018**

CORAM:

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Tr.C.M.P. (MD) .No.180 of 2018

and

C.M.P. (MD) No.4331 of 2018

J.Amutha Janaki

... Petitioner/ Petitioner
Vs.

M.Sivashangar

... Respondent/Respondent

PRAYER: Petition filed under Section 24 of Civil Procedure Code, to withdraw the H.M.O.P.No.101 of 2017 pending on the file of Sub Court, Periyakulam, Theni District and transfer the same to Family Court, Madurai and direct to try along with the pending H.M.O.P.No.250 of 2018 on the file of Family Court, Madurai.

For petitioner

: Mr.M.Sarangan

For respondent

: Mr.S.Mahesh Babu

ORDER

The petitioner herein is the wife of the respondent. The respondent filed H.M.O.P.No.101 of 2017 on the file of the Sub Court, Periyakulam, Theni District, seeking divorce. The petitioner herein filed H.M.O.P.No.250 of 2018 before the Family Court, Madurai, for restitution of conjugal rights. In the very nature of things both the petitions have to be tried together.

2.Since, the petitioner is a woman, this Court is of the view that the case filed by the respondent can be transferred. In this view of the matter, this Court withdraws H.M.O.P.No.101 of 2017 from the file of the learned Sub Judge, Periyakulam, Theni District and transfers it to the file of Family Court, Madurai for joint trial with H.M.O.P.No.250 of 2018 filed by the petitioner herein.

3.Accordingly, this Petition is allowed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar

/True Copy/

Sub Assistant Registrar (CS-I)



To:

1. The Sub Judge, Periyakulam,
Theni District.

2. The Family Court,
Madurai.

+1cc to Mr.S.Mahesh Babu, Advocate Sr.No.82095

+1cc to Mr.M.Sarangan, Advocate Sr.No.82114

PNN

VB/PM/SAR1/15.10.2018/2P/5C

ORDER MADE IN
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and
C.M.P. (MD) No.4331 of 2018
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