



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 31.08.2018

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THE HONOURABLE MR. JUSTICE G.R.SWAMINATHAN

Tr.C.M.P. (MD) .No.189 of 2018

and

C.M.P. (MD) .No.4579 of 2018

S.Angelin @ Kameswari

.. Petitioner/Petitioner

Vs.

A.Abinesh

.. Respondent/Respondent

PRAYER: This Transfer Civil Miscellaneous Petition is filed under Section 24 of Civil Procedure Code, to withdraw H.M.O.P.No.172 of 2018 pending before the Subordinate Judge, Poonamallee, Chennai to be tried along with the H.M.O.P.No.190 of 2018 pending on the file of the learned Family Court, Madurai.

For Petitioner : Mr.N.Murugesan

For Respondent : No appearance

O R D E R

The petitioner herein is the wife of the respondent. The petitioner has filed H.M.O.P.No.190 of 2018 before the Family Court, Madurai for restitution of conjugal rights. The respondent has filed H.M.O.p.No.172 of 2018 before the Sub Court, Poonamallee, Chennai for divorce. Therefore, in the very nature of things both the proceedings will have to be heard together.

2. The petitioner is a woman and she is having a young child to take care. Therefore, it will be difficult for the petitioner to go over to Poonamallee to contest the proceedings initiated by her husband. In the interest of justice, H.M.O.P.No.172 of 2018 on the file of the Sub Court Poonamallee, Chennai, is withdrawn and transferred to the file of the Family Court, Madurai to be tried along with H.M.O.P.No.190 of 2018. This Transfer Civil Miscellaneous Petition is allowed. No costs. Consequently, C.M.P. (MD) No.4579 of 2018 is closed.

<https://hcservices.ecourts.gov.in/hcservices/> The respondent is based in Chennai. Therefore, he may be permitted to be represented through counsel before the proceedings



in the Family Court, Madurai. Of course the respondent will have to be present during counselling and whenever his presence is necessary.

Sd/-

Assistant Registrar(CS-III)

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/True Copy/

Sub Assistant Registrar(CS-IV)

To

- 1.The Judge, Family Court, Madurai.
- 2.The Subordinate Judge, Poonamallee, Chennai.

COPY TO

- 1.The Section Officer,
V.R. Section
Madurai Bench of Madras High Court,
Madurai.(2 Copies)

+1cc to Mr.N.Murugesan,Advocate Sr.No.81417

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and
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CM

DS/SV/SAR 4/03.10.2018/2P/6C