



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.08.2018

CORAM:

THE HONOURABLE MR.JUSTICE M.V.MURALIDARAN

Tr.C.M.P. (MD) .No.226 of 2018
and C.M.P. (MD) No.5707 of 2018

Jaganathan

... Petitioner

Vs.

Suja Rani

... Respondent

Prayer: The Transfer Civil Miscellaneous Petition is filed under Section 24 C.P.C to withdraw M.C.No.3 of 2018 on the file of the learned Chief Judicial Magistrate, Tirunelveli and to transfer the same to the file of the Family Court, Tirunelveli for trial along with the H.M.O.P.No.43 of 2018.

For Petitioner : Mr.D.Venkatesh
For Respondent : Mr.V.Chandrasekar

ORDER

The Transfer Civil Miscellaneous Petition is filed to transfer the M.C.No.3 of 2018, on the file of the Chief Judicial Magistrate, Tirunelveli to Family Court, Tirunelveli.

2. The petitioner herein is the husband and the respondent is the wife. The marriage between the petitioner and the respondent was solemnized on 15.09.2017. Suppressing of the first marriage of the respondent / wife with one Jeyaseelan, the respondent married the petitioner and due the same, dispute arose between the petitioner and the respondent and hence, the petitioner filed H.M.O.P.No.43 of 2018 on the file of the learned Family Court, Tirunelveli and the respondent / wife filed M.C.NO.3 of 2018 before the learned Chief Judicial Magistrate, Tirunelveli.

3.The learned counsel appearing for the petitioner submitted that both the cases may be tried together.

4.The learned counsel for the respondent contended that the respondent is an unemployed and she is not having any independent sources of income, further she is living with support of her parents.

5.I have heard the learned counsel on either side

<https://hcservices.ecourts.gov.in/hcservices/cases/view> of the above submission, this petition is disposed of with the following directions:



(a) The learned Chief Judicial Magistrate, Tirunelveli, is directed to transmit the entire records pertaining to the case in the M.C.No.3 of 2018, to the learned Family Court, Tirunelveli, within a period of two weeks from the date of receipt of a copy of this order, if the same is not yet disposed of.

(b) The learned Family Court, Tirunelveli, after obtaining the records on transfer, is directed to dispose of the said M.C. along with H.M.O.P.No.43 of 2018, within a period of three months, thereafter.

7.No costs. Consequently, the connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar(Crl.side)

/True Copy/

Sub Assistant Registrar(CS-III)

To

1.The Chief Judicial Magistrate,
Tirunelveli.

2.The Judge,
The Family Court,
Tirunelveli.

+1CC to Mr.D.Venkatesh, Advocate, SR.No.76697

+1CC to Mr.V.Chandrasekar, Advocate, SR.No.76774

Tr.C.M.P. (MD) .No.226 of 2018
02.08.2018

GNS

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