



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.10.2018

CORAM:

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

TR.C.M.P. (MD) .No.191 of 2017

and

C.M.P. (MD) .No.4271 of 2017

Sakunthala Devi

... Revision Petitioner

Vs

Anandhan

... Respondent

PRAYER : Petition filed under Section 24 of Civil Procedure Code to withdraw the case in H.M.O.P.No.1415 of 2015 on the file of the Family Court, Coimbatore and to transfer the same to the file of the Sub-Court, Ramanathapuram to be tried along with H.M.O.P.No.27 of 2016 on the file of the Sub Court, Ramanathapuram.

For Petitioner : Mr.D.Venkatesh

For Respondent : No appearance

ORDER

The revision petitioner got married to the respondent on 03.12.2008 at Ramanathapuram. The relationship between the parties appears to have come under strain. The respondent herein filed H.M.O.P.No.1415 of 2015 before the Family Court, Coimbatore. The petitioner herein filed H.M.O.P.No.27 of 2016 before the Subordinate Court, Ramanathapuram, seeking restitution of conjugal rights. In the meanwhile, she was set ex parte in H.M.O.P.No.1415 of 2015. The counsel states that the said order has since been set aside.

2.Since, the petitioner has moved one Court and the respondent has moved another, in the very nature of things, one will have to be transferred. Both the H.M.O.Ps., will have to be heard together. Since the petitioner is a woman, in the interest of justice, this Court deems fit and proper to withdraw H.M.O.P.No.1415 of 2015 from the file of Family Court, Coimbatore and transfer the same to the file of Subordinate Court, Ramanathapuram, to be jointly tried along with H.M.O.P.No.27 of



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

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Sd/-

Assistant Registrar (ADI)

// True Copy //

Sub Assistant Registrar (CS-IV)

To

1. The Judge,
Family Court,
Coimbatore.
2. The Subordinate Judge,
Ramanathapuram.

+1 CC To MR.D.VENKATESH, Advocate SR. NO. 89614

ORDER MADE IN
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and
C.M.P. (MD) .No.4271 of 2017
09.10.2018

PNN

TR/PM/SAR-IV(08.11.2018) 2P 4C