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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.08.2018

CORAM :

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Tr.C.M.P. (MD)No.208 of 2017

and

C.M.P. (MD) .No.4782 of 2017

Manimegalai

.. Petitioner

vs.

Vinoth

.. Respondent

PRAYER : Transfer Civil Miscellaneous Petition filed under Section 24 of the Civil Procedure Code, to withdraw and transfer the case in H.M.O.P.No.1401 of 2016 before the Principal Family Court, Coimbatore to Sub Court, Pudukottai.

For Petitioner

: Mr.K.Ilaiyaraja

for M/s.K.Baalasundharam

For Respondent

: No appearance

ORDER

The petitioner in this transfer civil miscellaneous petition got married to the respondent herein on 24.03.2011. It appears that even earlier, they had registered their marriage before the Sub Registrar, Trichy on 08.10.2007. The relationship between the parties appears to have come under strain. While the respondent/husband filed HMOP.No.1401 of 2016, seeking divorce before the Principal Family Court, Coimbatore, the petitioner herein filed HMOP.No.53 of 2017 before the Sub Court, Pudukkottai, seeking the relief of restitution of conjugal rights.



2. Heard the learned counsel for the petitioner.

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3. The petitioner is the wife. She is having a young child to take care. The petitioner is expressing difficulties in having to attend the hearings before the Family Court at Coimbatore. Considering the fact that both the cases will have to be tried together, this Court is, in the interest of justice, inclined to withdraw the case in HMOP.No.1401 of 2016, filed before the Principal Family Court, Coimbatore and transfer the same to the Sub Court, Pudukkottai, so that it may be tried jointly with HMOP.No.53 of 2017 pending on the file of the Sub Court, Pudukkottai and the same is ordered accordingly. The Principal Family Court, Coimbatore is directed to transfer the entire records in HMOP.No.1401 of 2016 to the transferee Court forthwith.

4. Thus, this Transfer Civil Miscellaneous Petitions stands allowed. Consequently, connected miscellaneous petition is closed.

Sd
Assistant Registrar(crl side)

True Copy

Sub Assistant Registrar

PJL

To
1. The Judge,
Principal Family Court,
Coimbatore.



2. The Sub Judge,
Pudukkottai.

+1cc to M/S. K.Baalasundharam SR No.78702

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NM/SKN/SAR 3/12.09.18/3P/4C