



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 27.09.2018

CORAM :

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Tr.C.M.P. (MD) No.454 of 2017

and

C.M.P. (MD) No.8900 of 2017

M.Sangeetha

...Petitioner/Respondent

/Vs./

A.L.Arun

...Respondent/Petitioner

Prayer: Petition - filed under Section 24 of the Civil Procedure Code, to withdraw the case in H.M.O.P.No.144 of 2017 on the file of the Family Court, Sivagangai and transfer it to the Family Court, Dindigul and to try along with case in G.W.O.P.No.103 of 2017 on the file of the Family Court, Dindigul.

For Petitioner : Mr.J.Lawrance

For Respondent : Mr.R.Sundarsrinivasan

ORDER

The petitioner is wife of the respondent and got married to him on 02.09.2011. A female child, namely, Aishwarya was born on 17.08.2012. It appears that the marital relationship between the parties came under strain. Therefore, the respondent filed H.M.O.P.No.144 of 2017 before the Family Court, Sivagangai, seeking divorce. The petitioner herein filed G.W.O.P.No.103 of 2017 before the learned Principal District Judge, Dindigul. The petitioner is based in Dindigul. Therefore, it will be difficult for the petitioner to go over to Sivagangai and contest the proceedings there, since the petitioner has filed guardianship before the learned Principal District Judge, Dindigul.

2. In the very nature of things, both the cases will have to be tried together. I am of the view that the petition filed by the husband can be withdrawn and transferred to Dindigul for being jointly tried along with G.W.O.P.No.103 of 2017 filed by the petitioner herein. Therefore, H.M.O.P.No.144 of 2017 is withdrawn from the Family Court, Sivagangai and transferred to the Principal District Judge, Dindigul for being jointly tried along with G.W.O.P.No.103 of 2017. The learned Principal District Judge, Dindigul shall endeavour to dispose of both the cases expeditiously and in any event, within a period of one year. Accordingly, this



transfer civil miscellaneous petition is allowed. No costs.
Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar(CS-II)

/True Copy/

Sub Assistant Registrar(CS-III)

To

1.The Judge,
Family Court
Sivagangai.

2.The Principal District Judge,
Dindigul.

+ 1 CC TO Mr.J.Lawrance , ADVOCATE IN SR No.87877.

• 1 CC TO Mr.R.Sundarsrinivasan , ADVOCATE IN SR No. 87123.

Sm

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Order made in
Tr.C.M.P. (MD) No.454 of 2017