



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 05.10.2018

CORAM :

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Tr.C.M.P. (MD) .No.244 of 2018

and

C.M.P. (MD) No.6152 of 2018

Uma

... Petitioner

Vs.

M.Muthukaruppan

... Respondent

Prayer: Petition - filed under Section 24 of the Civil Procedure Code, to withdraw the case in H.M.O.P.No.318 of 2018 on the file of the Sub Court, Tambaram, Kanchipuram District and transfer the same to the file of the Family Court, Madurai, Madurai District for adjudication.

For Petitioner : Mr.D.Balamurugapandi

For Respondent : Mr.C.Susikumar

ORDER

The petitioner got married to the respondent on 10.02.2016. The marital relationship between them appears to have come under strain. The petitioner filed H.M.O.P.No.186 of 2018 before the Family Court, Madurai for divorce. The respondent filed H.M.O.P.No.318 of 2018 before the Sub Court, Tambaram, Kanchipuram District for restitution of conjugal rights.

2. In the very nature of things, both HMOPs will have to be heard and tried together. Since the petitioner is a woman in the interest of justice, this Court withdraws H.M.O.P.No.318 of 2018 from the Sub Court, Tambaram, Kanchipuram District and transfers the same to the Family Court, Madurai, for being jointly tried with H.M.O.P.No.186 of 2018.

3. It is made clear that the respondent need not appear before the Family Court, Madurai on all occasions. Of course, he has to appear on counselling date and on dates, when his examination as witness is necessary. On all other occasions, he can be represented through his counsel. Dispensing with the personal appearance of the respondent is granted in the above terms.

4. Accordingly, the Transfer Civil Miscellaneous Petition is allowed. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/

Assistant Registrar (W)

/True copy/

<https://hcservices.ecourts.gov.in/hcservices/>

Sub Assistant Registrar (CS-II)



To:

- 1.The Judge, Family Cour, Madurai, Madurai District.
- 2.The Sub Judge, Tambaram, Kanchipuram District.

+1cc to Mr.C.SUSIKUMAR, Advocate, SR.No. 89477

+1cc to Mr.D.Balamurugapandi, Advocate, SR.No.88793

Order made in
Tr.C.M.P. (MD) .No.244 of 2018
05.10.2018

SM

KK/RSK/SAR-2/20.11.2018/2P-5C