



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 31.08.2018

CORAM

THE HONOURABLE MR. JUSTICE G.R.SWAMINATHAN

Tr.C.M.P. (MD) .No.278 of 2018

and

C.M.P. (MD) .No.6925 of 2018

M.Backiayalakshmi .. Petitioner/Respondent

Vs.

P.Mohan Raj .. Respondent/Petitioner

PRAYER: This Transfer Civil Miscellaneous Petition is filed under Section 24 of Civil Procedure Code, to withdraw H.M.O.P.No.21 of 2018 on the file of the Subordinate Judge, Karur to hear along with M.C.No.10 of 2018 pending on the file of the learned Family Court, Trichirappalli.

For Petitioner : Mr.P.Arun Jayatram

For Respondent : No appearance

O R D E R

The petitioner got married to the respondent on 09.03.2017. The respondent filed H.M.O.P.No.21 of 2018 on the file of the Subordinate Court, Karur for restitution of conjugal rights. The petitioner filed M.C.No. 10 of 2018 before the Family Court, Trichirappalli for maintenance. In the very nature of things both proceedings will have to be tried together.

2. The petitioner is a young woman and therefore it will be difficult for the petitioner to go over to Karur to contest the proceedings there. Therefore, taking into account the fact that the petitioner is a woman and that in the interest of justice, H.M.O.P.No.21 of 2018 is withdrawn from the file of the Subordinate Judge, Karur and transferred to the file of the Family Court, Trichirappalli to be tried along with M.C.No.10 of 2018. The respondent herein can represent through counsel except during counselling and on those hearing dates when his presence is essential.



3. In the result, this Transfer Civil Miscellaneous petition is allowed. No costs. Consequently, connected C.M.P(MD)6925 of 2018 is closed.

WEB COPY

Sd/-

Assistant Registrar(C.O)

/True Copy/

Sub Assistant Registrar(CS-IV)

CM

To

1.The, Subordinate Judge,
Karur

2.The Judge, Family Court,
Trichirappalli.

+1cc to Mr.P.Arun Jayatram, Advocate in SR No.81804

Tr.C.M.P. (MD) .No.278 of 2018
and
C.M.P. (MD) .No.6925 of 2018

NM/RP/SAR 4/28.09.18/2P/4C