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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.08.2018

CORAM

THE HONOURABLE MR. JUSTICE G.R.SWAMINATHAN

Tr.C.M.P. (MD) .No.286 of 2018

and

C.M.P. (MD) .No.7085 of 2018

N.Anusree .. Petitioner

Vs.

S.Muthukumar .. Respondent

PRAYER: This Transfer Civil Miscellaneous Petition is filed under Section 24 of Civil Procedure Code, to withdraw petition in H.M.O.P.No.20 of 2018 from the file of Principal Sub Court at Thenkasi and to transfer the same to Family Court, Salem.

For Petitioner : Mr.K.Pal Murugan

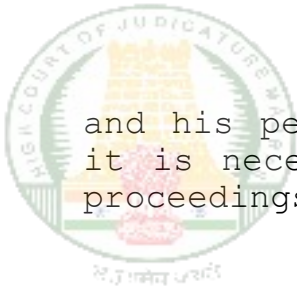
For Respondent : Mr.K.Navaneetha Raja

O R D E R

The petitioner herein is the wife. The respondent filed H.M.O.P. No.20 of 2018 before the Principal Sub Court, Tenkasi. Since the petitioner is having a child to take care, it is difficult for her to attend the proceedings at Tenkasi.

2. Therefore, in the interest of justice H.M.O.P.No.20 of 2018 is withdrawn from the file of the Principal Sub Court, Tenkasi and transferred to the Family Court, Salem. Accordingly, the Transfer Civil Miscellaneous Petition is allowed. No costs. Consequently, connected C.M.P. (MD) No.7085 of 2018 is closed.

3. It appears that the petitioner did not attend the counselling held at Tenkasi. The Family Court's Act casts a duty on the Presiding Judge to endeavour to reconcile the differences between the parties by conducting counselling session. A direction is given to the petitioner to attend the counselling session to be conducted in the Family Court, Salem. On other regular hearing dates, the respondent is permitted to appear through counsel



and his personal appearance shall stand dispensed with except when it is necessary. The Family Court shall endeavour to conclude the proceedings as expeditiously as possible.

Sd/-

Assistant Registrar (WRIT)

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/True Copy/

Sub Assistant Registrar

CM
To

1.The Principal Sub Judge,
Tenkasi.

2.The Judge,
Family Court,
Salem

+1cc to Mr.K.Pal Murugan, Advocate in SR No.16082

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and
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NM/RP/SAR 4/26.09.2018/2P/4C