



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 05.09.2018

WEB COPY

CORAM:

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Tr.C.M.P. (MD) .No.317 of 2018
and
C.M.P. (MD) No.7828 of 2018

R.Bhuvaneshwari

... Petitioner

Vs.

N.Arunkumar

... Respondent

PRAYER: Petition filed under Section 24 of Civil Procedure Code, to withdraw the H.M.O.P.No.1747 of 2017 on the file of Principal Family Court, Coimbatore and to transfer the same to Family Court, Madurai to try along with H.M.O.P.No.567 of 2018.

For petitioners : Mr.P.Rajagopalan

For respondent : Mr.J.Lawrance

ORDER

The petitioner got married to the respondent on 12.09.2014. The respondent has filed H.M.O.P.No.1747 of 2017 before the Principal Family Court, Coimbatore for divorce. The petitioner herein has filed H.M.O.P.No.567 of 2018 before the Family Court, Madurai, for restitution of conjugal rights. The cases will have to be heard and tried together. The petitioner is a woman. Therefore, it will be difficult for the petitioner to go all the way to Coimbatore from Madurai, to contest the proceedings there.

2.Considering the fact that the petitioner is a woman, in the interest of justice, this Court withdraws H.M.O.P.No.1747 of 2017 from the Principal Family Court, Coimbatore and transfers the same to the Family Court, Madurai, for joint trial along with H.M.O.P.No.567 of 2018 filed by the petitioner herein.

3.Accordingly, this Transfer Civil Miscellaneous Petition is allowed. No costs. Consequently, connected miscellaneous petition is also closed.



4.The respondent is based in Coimbatore. Therefore, the respondent is permitted to be represented through counsel before the Family Court, Madurai. The respondent, ofcourse, has to appear on counselling days and on those days, when his examination or cross examination is necessary. On all other occasions, the personal appearance of the respondent, before the Family Court, Madurai, is dispensed with.

Sd/-
Assistant Registrar(RTI)

/True Copy/

Sub Assistant Registrar(CS-II)

To:

1.The Judge, Principal Family Court,
Coimbatore.

2.The Judge, Family Court,
Madurai.

+1CC to Mr.J.Lawrance, Advocate, SR.No.82473

+1CC to Mr.P.Rajagopalan, Advocate, SR.No.82370

ORDER MADE IN
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and
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PNN

ES/SKN/RSK/SAR 2/09.10.2018/2P/5C