



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 26.09.2018

CORAM :

WEB COPY

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

TR CMP(MD)No.348 of 2018
and
CMP(MD)No.8490 of 2018

Mallika Devi

... Petitioner

Vs.

K.Gururajan

... Respondent

Prayer: This Transfer Civil Miscellaneous Petition is filed under Section 24 of the Civil Procedure Code, to withdraw HMOP No.92 of 2018 on the file of the Sub Court, Tuticorin and transfer the same to the Family Court, Madurai.

For Petitioner: Mr.B.Rajesh Saravanan

For Respondent: Mr.KA.Ramakrishnan

ORDER

The petitioner got married to the respondent on 18.05.2012. A child was born through the wedlock. The marital relationship between the parties had come under strain. Therefore, the petitioner filed HMOP No.317 of 2018 before the Family Court, Madurai for divorce. The respondent filed HMOP No.92 of 2018 before the Sub Court, Tuticorin for restitution of conjugal rights.

2.In the very nature of things, both the HMOPs will have to be tried together. Since HMOP No.317 of 2018 was filed by the wife, it is only just and proper, to transfer the one filed by the husband. Therefore, this Court withdraws HMOP No.92 of 2018 from Sub Court, Tuticorin and transfers the same to the Family Court, Madurai for joint trial. This Transfer Civil Miscellaneous Petition is allowed accordingly. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS-II)

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To

1.The Subordinate Judge, Tuticorin.

2.The Judge, Family Court, Madurai.

+ 1 CC TO MR.B.RAJESH SARAVANAN, ADVOCATE IN SR NO.87053
SKM

BU/NM/SKN/SAR-II :15.11.2018 : 2P/4C

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