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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 26.09.2018

CORAM :

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

TR CMP(MD)No.354 of 2018
and
CMP(MD)No.8527 of 2018

Karpaga Maruthammal

... Petitioner

Vs.

Arockia Sebastian

... Respondent

Prayer: This Transfer Civil Miscellaneous Petition is filed under Section 24 of Civil Procedure Code, to withdraw IDOP No.16 of 2018 on the file of the Family Court, Sivagangai and transfer the same to the Additional District Court, Tenkasi.

For Petitioner : Mr.J.C.Rathinavel Pandian
For Respondent : Mr.S.Srinivasa Raghavan

ORDER

The petitioner got married to the respondent on 28.12.2013. The respondent/husband filed IDOP No.16 of 2018 before the Family Court, Sivagangai seeking divorce. The petitioner on the other hand has filed IDOP No.164 of 2018 seeking restitution of conjugal rights before the Additional District Court, Tenkasi.

2.In the very nature of things, both the IDOPs will have to be tried together. Since the petitioner is a woman, in the interest of justice, this Court withdraws IDOP No.16 of 2018 from the file of the Family Court, Sivagangai and transfers the same to Additional District Court, Tenkasi for a joint trial. Accordingly, this Transfer Civil Miscellaneous Petition is allowed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (AS)

// True Copy //

Sub Assistant Registrar(CS-IV)



To

1.The Judge, Family Court, Sivagangai

2.The Additional District Judge, Tenkasi.

+1 CC To MR.S.SRINIVASA RAGHAVAN, Advocate SR. NO. 86978

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