



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.10.2018

CORAM

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THE HONOURABLE MR. JUSTICE G.R.SWAMINATHAN

Tr.C.M.P. (MD) .No.365 of 2018

and

C.M.P. (MD) .Nos.8931 and 8932 of 2018

M.Gowthami

.. Petitioner/Respondent

Vs.

M.Sivaram Kumar

.. Respondent/Petitioner

PRAYER: This Transfer Civil Miscellaneous Petition is filed under Section 24 of Civil Procedure Code, to withdraw and transfer the H.M.O.P.No.95 of 2018 on the file of the Family Court, Srivilliputhur, Virudhunagar District to be tried along with H.M.O.P.No.94 of 2018 on the file of the Sub Court, Thoothukudi, Thoothukudi District.

For Petitioner : Mr.A.Thiruvadikumar

For Respondent : Mr.N.Santhipriya
for Mr.J.Gunaseelan Muthaiah

O R D E R

The petitioner got married to the respondent on 30.04.2017. The petitioner herein has filed H.M.O.P.No.94 of 2018 before the Sub Court, Tuticorin seeking divorce. The respondent herein filed H.M.O.P.No.95 of 2018 before the Family Court, Srivilliputhur, Virudhunagar District, for restitution of conjugal rights. In the very nature of things, both Original Petitions will have to be decided together.

2. In the interest of justice, taking into account the fact that the petitioner is a woman, this Court withdraws H.M.O.P.No.95 of 2018 from the file of the Family Court, Srivilliputhur, Virudhunagar District and transfers the same to the file of the Sub Court, Tuticorin District, Tuticorin, to be tried along with H.M.O.P.No.94 of 2018.



3. In the result, this Transfer Civil Miscellaneous Petition is allowed. No costs. Consequently, connected C.M.P(MD) Nos. 8931 and 8932 of 2018 are closed.

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Sd/-
Assistant Registrar(Records)

Sub Assistant Registrar(CS-II)

CM

To

1.The Family Court,Srivilliputhur, Virudhunagar District.

2.The Sub Court, Thoothukudi District, Thoothukudi.

+1cc to Mr.J.Gunaseelan Muthiah, Advocate in SR No.89376

+1cc to Mr.R.Thiruvadi Kumar, Advocate in SR No.89066

Tr.C.M.P. (MD) .No.365 of 2018
and
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NM/SV/SAR II/26.11.18/2P/5C.