



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 30.10.2018

CORAM :

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Tr.C.M.P. (MD) .No.430 of 2018

and

C.M.P. (MD) No.10121 of 2018

Angayarkanni @ Kokila

... Petitioner

Vs.

Adhithan

... Respondent

Prayer: Petition - filed under Section 24 of the Civil Procedure Code, to withdraw and transfer the case in H.M.O.P.No.1209 of 2018 on the file of the Principal Family Court, Coimbatore to the file of the Family Court, Dindigul, for being tried along with M.C.No.25 of 2018.

For Petitioner : Mr.A.Hariharan

For Respondent : No appearance

ORDER

The petitioner got married to the respondent on 21.10.2009. Since the marital relationship between them appears to have come under strain, the respondent filed H.M.O.P.No.1209 of 2018 before the Principal Family Court, Coimbatore, for divorce. The petitioner herein filed M.C.No.25 of 2018 before the Family Court, Dindigul, claiming monthly maintenance.

2. In the very nature of things, HMOP and Maintenance Case will have to be heard and tried together. Since the petitioner is based in Dindigul, it will be difficult for her to go over to Coimbatore and contest the proceedings there. Therefore, in the interest of justice, this Court withdraws H.M.O.P.No.1209 of 2018 from the Principal Family Court, Coimbatore, and transfers the same to the Family Court, Dindigul, for being jointly tried with M.C.No.25 of 2018.

3. It is made clear that the respondent need not appear before the Family Court, Dindigul on all occasions. Of course, he has to appear on counselling date and on dates, when his examination as witness is essential. On all other occasions, he can be represented through his counsel. Dispensing with the personal appearance of the respondent is granted in the above terms.

4. Accordingly, the Transfer Civil Miscellaneous Petition is allowed. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar(CS-I)

/True Copy/



To:

1. The Principal Family Court Judge,
Coimbatore.

2. The Family Court Judge, Dindigul.

- 1 CC TO Mr.A.HARIHARAN , ADVOCATE IN SR No. 92998.
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- SM
- DS RSK SAR2 21 12 2018 2P 4C
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Order made in
Tr.C.M.P.(MD).No.430 of 2018