



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 05.09.2019

CORAM

THE HONOURABLE MS.JUSTICE P.T.ASHA

Tr.C.M.P. (MD)No.95 of 2019

and

C.M.P (MD) No.2182 of 2019

Belinda Elizabetha

... Petitioner/Petitioner

Vs.

J.Rex Antony James

... Respondent/Respondent

PRAYER:- Petition filed under Section 24 of Civil Procedure Code, to withdraw and transfer the IDOP No.71 of 2018 from the file of the Family Court, Trichy and to transfer the same to the file of the Family Court, Coimbatore.

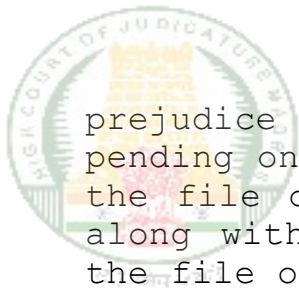
For Petitioner : Mr.M.R.Sreenivasan

For Respondent : Mr.G.Kandhavadivelan

ORDER

The above Transfer Civil Miscellaneous Petition has been filed at the behest of the wife, who is the respondent in divorce proceedings filed by the husband in IDOP No.71 of 2018 on the file of the Family Court, Trichy. The wife has also filed a petition for maintenance in M.C.No.38 of 2019 on the file of the Additional Family Court, Coimbatore. Perusal of records shows that the parties have a child, who is arrayed as second petitioner in the maintenance case and is just aged about eight months till date.

2.The petitioner/wife is residing at Coimbatore at her parents' place and she is totally depending on them for the financial help. Admittedly the respondent/husband is not maintaining either the petitioner or her minor daughter. It is also represented on instructions that the respondent/husband is attending the hearing in M.C.No.38 of 2019 on the file of the Additional Family Court, Coimbatore. In these circumstances, no



prejudice would cause to the respondent, if IDOP No.71 of 2018 pending on the file of the Family Court, Trichy, is transferred to the file of the Additional Family Court, Coimbatore, to be tried along with the maintenance case in M.C.No.38 of 2019 pending on the file of the Family Court, Coimbatore.

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3.In the result, this Transfer Civil Miscellaneous Petition is allowed on the above lines and the learned Judge, Family Court, Trichy is directed to transmit the entire records in IDOP No.71 of 2018 to the Additional Family Court, Coimbatore and the learned Judge, Additional Family Court, Coimbatore, is directed to tag IDOP NO.71 of 2018 along with M.C.No.38 of 2019 which is pending on his file, conduct joint trial and dispose of the same on merits and in accordance with law. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CRL.SIDE)

// True Copy //

Sub Assistant Registrar (CS)

To

1.The Judge, Family Court, Trichy.

2.The Judge, Additional Family Court, Coimbatore.

+1 CC to M/s.M.R.SREENIVASAN, Advocate (SR-85723[F] dated 06/09/2019)

CP

Tr.C.M.P. (MD) No.95 of 2019

and

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