



**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 18.09.2019
CORAM**

THE HONOURABLE MS.JUSTICE P.T. ASHA

**TR.C.M.P. (MD)No.273 of 2019
and C.M.P (MD)No.6412 of 2019**

T.Jeyageetha ... Petitioner/Petitioner/Wife
Vs.
P.Emmanuel Sathish ... Respondent/Respondent/Husband

PRAYER:- Transfer Civil Miscellaneous Petition is filed under Section 24 of C.P.C to withdraw and transfer the I.D.O.P.No.131 of 2017 on the file of the Principal District Court, Chengalpet and pending before the Family Court, Chengalpet to the file of the Family Court, Dindigul.

For Petitioner : M/s.AKARATHI
For Respondent : No appearance

J U D G M E N T

The above Transfer Civil Miscellaneous Petition is filed to transfer I.D.O.P.No.131 of 2017 on the file of the Principal District Court, Chengalpet and pending before the Family Court, Chengalpet to the file of the Family Court, Dindigul.

2.Heard the learned counsel for the petitioner and perused the papers.

3. The husband has filed I.D.O.P.No.31 of 2017 for restitution of conjugal rights before the Family Court, Dindigul.

4. Considering the fact that the petition filed for restitution of conjugal rights is pending before the Family Court, Dindigul and the petitioner is no longer residing at Chengalpet but residing at Madurai, the petitioner seeks to have I.D.O.P filed by her on the file of the Family Court, Chengalpet to be transferred and try along with I.D.O.PNo.31 of 2017 on the file of the Family Court, Dindigul.

5. Since no prejudice would be caused to the respondent as the petitioner is seeking transfer of the petition filed by her to be tried along with the petition filed by her husband, this Court is inclined to issue the following direction:



i) The learned Principal District Judge, Chengalpet, is directed to transmit the entire records in I.D.O.P.No.131 of 2017 to the file of the Family Court, Dindigul, within a period of two weeks from the date of receipt of copy of this order.

ii) the learned Judge, Family Court, Dindigul, after obtaining the records on transfer, is directed to try I.D.O.P.No.31 of 2017 and I.D.O.P.NO. 31 of 2017 and dispose of the same as expeditiously as possible in accordance with law.

6. In the result, this transfer civil miscellaneous petition is allowed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

Sub Assistant Registrar(CS)

To

1.The Family Court, Dindigul

2.The Family Court, Chengalpet

+1 CC to M/s.AKARATHI, Advocate (SR-87494[F] dated 18/09/2019)

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CM

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