



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.01.2020

CORAM:

THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN

TRANSFER C.M.P.NO.477 OF 2019

Gilara

...Petitioner

vs.

Tricous Paulraj

...Respondent

Tr.C.M.P. filed under Section 24 of C.P.C., to withdraw and transfer D.O.P.No.333 of 2017 from on the file of the Principal District Court, Coimbatore to be tried along with M.C.No.243 of 2018 on the file of the Principal Family Court, Coimbatore.

For Petitioner : Mr.S.Mukunth

For Respondent : No appearance

O R D E R

The Petitioner, who is presently residing in Coimbatore, has come up with this Petition seeking transfer of D.O.P.No.333 of 2017 from the file of the Principal District Court, Coimbatore to the file of the Principal Family Court, Coimbatore, to be tried along with M.C.No.243 of 2018.

2. It is seen that several proceedings are pending against the very same parties with regard to matrimonial dispute. The Petitioner herein had already filed Tr.C.M.P.No.480 of 2019 seeking transfer of the proceedings in D.O.P.No.261 of 2018 from the file of the Principal District Court, Coimbatore to the file of the Principal Family Court at Coimbatore, to be tried along with M.C.No.243 of 2018.

3. As the notice sent to the Respondent therein was returned with the endorsement 'refused', this Court, by an order dated 20.11.2019, allowed Tr.C.M.P.No.480 of 2019.

4. Even, in the present case on hand, there is no representation for the Respondent, as the notice sent to him has been returned with the endorsement, 'refused'. In order to give a quietus to the issue on hand, it is necessary that all matters are tried together. As there is no appearance for the Respondent



herein, the relief sought for by the Petitioner, is granted.

5. In the result, the proceedings in D.O.P.No.333 of 2017 is withdrawn from the file of the Principal District Court, Coimbatore, and is transferred to the file of the Principal Family Court, Coimbatore, for trial, along with M.C.No.243 of 2018. The Principal Family Court, Coimbatore, is expected to conclude the trial, as expeditiously as possible, without adjourning the matter beyond 45 working days at any point of time, to bring the issue to a logical end.

6. The Transfer Civil Miscellaneous Petition is allowed as indicated above. No costs. Consequently, connected C.M.P.No.13401 of 2019 is closed.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

(jas/aeb)

To :

1. The Principal District Court, Coimbatore.
2. The Principal Family Court, Coimbatore.

Tr.C.M.P.No.477 of 2019

RSV(CO)
CS/10/02/2020