



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
Dated: 11.03.2020

CORAM

WEB COPY

THE HONOURABLE Mrs. JUSTICE R.THARANI

TR C.M.P (MD) No.72 of 2020
and
C.M.P(MD) No.1316 of 2020

Pavithra ... Petitioner/Respondent
-Vs-
Ramesh ... Respondent/Petitioner

Prayer: Transfer Civil Miscellaneous Petition is filed under Section 24 of Civil Procedure Code, to withdraw the H.M.O.P.No.1023 of 2019 from the file of the Family Court, Madurai and to transfer the same to the file of the Sub Court, Paramakudi and to try along with H.M.O.P.No.102 of 2019 pending before the Sub Court, Paramakudi.

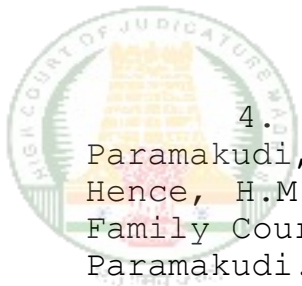
For Petitioner : Mr.PT.S.Narendravasan
For Respondent : No appearance

O R D E R

This Transfer Civil Miscellaneous Petition is filed seeking to withdraw the H.M.O.P.No.1023 of 2019 from the file of the Family Court, Madurai and to transfer the same to the file of the Sub Court, Paramakudi and to try along with H.M.O.P.No.102 of 2019 pending before the Sub Court, Paramakudi.

2. On the side of the petitioner, it is stated that the petitioner / wife filed a maintenance petition in M.C.No.23 of 2019 before the Judicial Magistrate, Paramakudi and the petitioner / wife also filed another petition for restitution of conjugal rights in H.M.O.P.No.102 of 2019, before the Sub Court, Paramakudi and the respondent / husband filed a petition in H.M.O.P.No.1023 of 2019 before the Family Court, Madurai, seeking for divorce. The petitioner / wife is residing in Paramakudi and if both the cases are tried together it will be easy for both the parties to attend the Court and for the Judge to give a findings and prayed that H.M.O.P.No.1023 of 2019, to be transferred to the Sub Court, Paramakudi.

3. Though the name of the respondent is printed, none appeared for the respondent.



4. Already two proceedings are pending before the Court in Paramakudi, the same Court can decide both the H.M.O.Ps together. Hence, H.M.O.P.No.1023 of 2019, is withdrawn from the file of the Family Court, Madurai and the same is transferred to the Sub Court, Paramakudi.

WEB COPY

5. The Family Court, Madurai, is directed to send the entire records in H.M.O.P.No.1023 of 2019, to the file of the Sub Court, Paramakudi, for trial along with H.M.O.P.No.102 of 2019.

6. The Sub Court, Paramakudi, is hereby directed to issue fresh summon to the respondent after the case is transferred and renumbered and also to tag H.M.O.P.No.1023 of 2019 along with H.M.O.P.No.102 of 2019, which is pending on his file, to conduct joint trial.

7. With the above directions, this Transfer Civil Miscellaneous Petition is allowed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (crl.side)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

Ls

To

1. The Sub Judge,
Paramakudi.

2. The Judge,
Family Court,
Madurai.

+1 CC to M/s.PT.S.NARENDRAVASAN, Advocate (SR-11091[F] dated
11/03/2020)

TR C.M.P (MD) No.72 of 2020

and

C.M.P(MD) No.1316 of 2020

11.03.2020

MK (12.05.2020) 2P 4C