



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 15.07.2020

CORAM:

THE HONOURABLE MR.JUSTICE N.SESHASAYEE

Tr.C.M.P. (MD) No.111 of 2020

and

C.M.P. (MD) No.2241 of 2020

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Maheswari

...Petitioner / Respondent

-vs-

B.Karthick

...Respondent/ Petitioner

PRAYER: Transfer Civil Miscellaneous Petition is filed under Section 24 of the Code of Civil Procedure to withdraw the H.M.O.P.No.1311 of 2019 pending on the file of the Family Court, Madurai and transfer the same to Hon'ble Family Court, Trichy.

For Petitioner : Ms.R.Saraswathi

For Respondent : Mr.R.Venkatesan

O R D E R

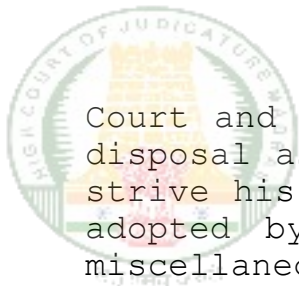
The present Transfer Civil Miscellaneous Petition is filed for transfer of H.M.O.P.No.1311 of 2019, pending on the file of the Family Court, Madurai to the file of the Family Court, Trichy.

2.The respondent is the husband of the petitioner and he has filed HMOP.No.1311 of 2019 on the file of the Family Court, Madurai for restitution of conjugal rights. It is to transfer that petition, the wife has preferred the present petition.

3.When the matter was listed on the last occasion, on 09.07.2020, both the learned counsel made a statement to this Court that there is a prospect of the parties reuniting. Thereafter, this Court enquired if the presence of the parties could be secured during the virtual Court sitting. Accordingly, when the matter is listed today, both the counsel as well as their respective parties have logged-in. This Court had a brief interaction with both the petitioner and the respondent. On principle, the respondent is not against transfer but, vis-a-vis, the optimism of a revival of matrimony between the parties as stated by the learned counsel on either side on 09.07.2020 appears to suffer a dent. Both the parties expressed certain issues to be resolved, which also includes visitation rights for the children who are in the custody of the petitioner.

4.Given the fact that there is not much dispute in transferring the matter, H.M.O.P.No.1311 of 2019, now pending on the file of the Family Court, Madurai is directed to be withdrawn from the said

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Court and transferred to the file of the Family Court, Trichy, for disposal as per law. The learned Judge, Family Court, Trichy, shall strive his best to mediate between the parties as per the procedure adopted by the Family Courts. No costs. Consequently, connected miscellaneous petition is closed.

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Sd/-

Assistant Registrar (AS)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

Tsg

To:

1.The Family Court,
Madurai.

2.The Family Court,
Trichy.

Tr.C.M.P. (MD) No.111 of 2020
and
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