



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated :04.06.2020

CORAM

THE HONOURABLE MRS. JUSTICE R. THARANI

Tr.C.M.P. (MD)No.125 of 2020

and

C.M.P. (MD)No.2486 of 2020

WEB COPY

1.T.Siyamala Devi
2.Minor Sriram Kousick
(represented through his mother and guardian
T.Siyamaladevi) ..Petitioners/Respondent

Vs.

P.Sornamani ..Respondent/Petitioner

Prayer: This Transfer Civil Miscellaneous Petition is filed under Section 24 of the Civil Procedure Code, to withdraw and transfer the proceedings in H.M.O.P.No.327 of 2019 (on the file of the Sub Court, Theni) to the Family Court, Dindigul.

For Petitioner : Mr.T.Selvam
For Respondent : No Appearance

ORDER

The above Transfer Civil Miscellaneous petition has been filed by the wife seeking for transfer of H.M.O.P.No.327 of 2019 on the file of the Subordinate Court, Theni, to the file of Family Court, Dindigul.

2.On the side of the petitioner, it is stated that the first petitioner/wife has filed a petition in M.C.No.6 of 2020 before the Family Court, Dindigul and the same is still pending. It is further stated that the husband has filed H.M.O.P.No.327 of 2019 before the Sub Court, Theni. The petitioner is residing in Dindigul and she has to take care of her school going son. It is difficult for her to travel to Theni to attend Court proceedings and prayed the case to be transferred to Family Court, Dindigul for joint trial with M.C.No.6 of 2020.

3.Though the respondent was served with notice and his name is printed in the cause list, none appears for the respondent.

4.Since M.C.No.6 of 2020 is pending before the Family Court, Dindigul, it will not cause any prejudice to the respondent/husband in transferring the case for joint trial. Hence, in H.M.O.P.No.327 of 2019 is withdrawn from the file of the Sub Court, Theni, and is transferred to the Family Court, Dindigul for joint trial with M.C.No.6 of 2020. The learned Sub Judge, Theni, is directed to transmit the entire records in H.M.O.P.No.327 of 2019 to the Family



Court, Dindigul. The learned Judge, Family Court, Dindigul, is hereby directed to tag H.M.O.P.No.327 of 2019 along with M.C.No.6 of 2020 to conduct joint trial and also to issue notice to the respondent, after the case is renumbered.

4. With the above direction, this Transfer Civil Miscellaneous Petition is allowed. No Costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (AS)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

MRN

Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

1. The Sub Judge, Theni.
2. The Judge, Family Court, Dindigul.

+1 CC to M/s.T.SELVAM, Advocate (SR-13069[F] dated 04/06/2020)

Tr.C.M.P. (MD) No.125 of 2020
04.06.2020

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