



WEB COPY

Tr.C.M.P(MD)No.157 of 2020

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.12.2020

CORAM

THE HON'BLE MR.JUSTICE R.MAHADEVAN

Tr.C.M.P (MD) No.157 of 2020

and

C.M.P (MD) No.2942 of 2020

Muthulakshmi

... Petitioner/Respondent

-Vs-

Sivasamy @ Ramesh

... Respondent/Petitioner

Prayer: Transfer Civil Miscellaneous Petition filed under Section 24 of C.P.C., to withdraw the H.M.O.P.No.535 of 2019 before the Family Court, Trichy and transfer the same to the file of the Sub Court, Dindigul.

For Petitioner : Mr.A.Srinivasan
for Mr.S.Premkumar

For Respondent : Mr.A.Senthil Kumar

O R D E R

The petitioner/wife, who is facing the proceedings for dissolving the marriage at the instance of the husband in H.M.O.P.No.535 of 2019, on the file of the Family Court, Trichy, seeks transfer of the same to the Subordinate Court, Dindigul.

2. The learned Counsel for the petitioner submitted that the petition filed by the petitioner in H.M.O.P.No.12 of 2019, for restitution of conjugal rights is also to be tried along with the proceedings in H.M.O.P.No.535 of 2019.

3. The learned Counsel appearing for the respondent fairly submitted that the respondent is not objecting the transfer of the petitions, but, only he required his safety, which is now assured by the learned Counsel appearing for the petitioner.

4. In such view of the matter, this Court is inclined to transfer H.M.O.P.No.535 of 2019, on the file of the the Family Court, Trichy, to the Subordinate Court, Dindigul, to be tried along with H.M.O.P.No.12 of 2019.



5. Accordingly, this Transfer Civil Miscellaneous Petition stands allowed. The learned Judge, Family Court, Trichy, is directed to transmit the papers to the Subordinate Court, Dindigul, forthwith.

6. The learned Judge, Subordinate Court, Dindigul, is directed to dispose of the proceedings in H.M.O.P.No.535 of 2019 along with H.M.O.P.No.12 of 2019 on merits, within a period of six months from the date of receipt of the papers from the Family Court, Trichy, after due notice and opportunity to both parties. However, there will be no order as to costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

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Sub Assistant Registrar(CS)

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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 Judge, Family Court,
Trichy.
2. The Subordinate Judge,
Dindigul.

Copy to: The Record Keeper, V.R.Section,
Madurai Bench of Madras High Court,
Madurai.(2)

Tr.C.M.P(MD)No.157 of 2020

and

C.M.P(MD) No.2942 of 2020

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SGS (CO)

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