



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated: 12.03.2020

CORAM

WEB COPY

THE HONOURABLE Mrs. JUSTICE R.THARANI

TR C.M.P (MD) No.184 of 2019

and

C.M.P. (MD) No.4268 of 2019

D.Kreethipriya

.... Petitioner

-Vs-

N.Siranjeevi Kumar

... Respondent

Prayer: Transfer Civil Miscellaneous Petition is filed under Section 24 of Civil Procedure Code, to withdraw the case in H.M.O.P.No.59 of 2019 on the file of the learned Subordinate Judge, Uthamapalayam and to transfer the same to the file of the Family Court, Madurai.

For Petitioner	:	Mr.C.M.Arumugam
For Respondent	:	No appearance

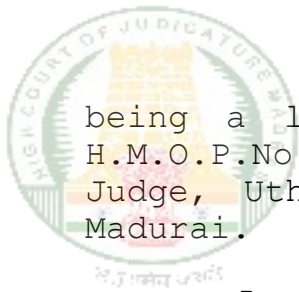
O R D E R

This Transfer Civil Miscellaneous petition is filed by the petitioner / wife seeking to transfer H.M.O.P.No.59 of 2019 on the file of the Subordinate Judge, Uthamapalayam, to the Family Court, Madurai.

2. On the side of the petitioner, it is stated that the petitioner / wife is residing at Madurai with her two female children and she filed a petition, seeking for divorce, in H.M.O.P.No.444 of 2019, which is pending, on the file of the Family Court, Madurai and the respondent / husband filed a petition, seeking for restitution of conjugal right, in H.M.O.P.No.59 of 2019, on the file of the Subordinate Judge, Uthamapalayam and it will be better if both the cases are tried by the same Court to avoid contrary judgments and hence, prayed H.M.O.P.No.59 of 2019, on the file of the Subordinate Judge, Uthamapalayam, to be transferred to the Family Court, Madurai.

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

4. The reasons stated by the petitioner are satisfactory. No prejudice will be caused to the respondent. The petitioner /wife



being a lady, has to take care of her two children. Hence, H.M.O.P.No.59 of 2019 is withdrawn from the file of the Subordinate Judge, Uthamapalayam and is transferred to the Family Court, Madurai.

5. The Subordinate Judge, Uthamapalayam, is directed to transmit the entire records, in H.M.O.P.No.59 of 2019, to the Family Court, Madurai.

6. The Family Court, Madurai, is hereby directed to issue sufficient notice to the respondent after the case is transferred and renumbered and also to tag H.M.O.P.No.59 of 2019 along with H.M.O.P.No.444 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 Family Court,
Madurai.

2. The Subordinate Judge,
Uthamapalayam.

TR C.M.P (MD) No.184 of 2019

12.03.2020

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