



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.11.2020

CORAM

THE HON'BLE MR.JUSTICE R.MAHADEVAN

Tr.C.M.P (MD)No.209 of 2020

and

C.M.P (MD) No.4589 of 2020

Mrs.S.Aparna

... Petitioner/Respondent

-Vs-

Mr.M.G.Kalaivanan

... Respondent/Petitioner

Prayer: Transfer Civil Miscellaneous Petition filed under Section 24 of C.P.C., to withdraw the case in H.M.O.P.No.29 of 2019 on the file of the Sub-Court, Muthukulathur and transfer to the Family Court, Madurai.

For Petitioner : Mr.C.Mayilvahana Rajendran

For Respondent : No Appearance

O R D E R

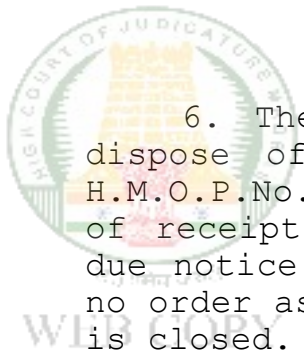
The petitioner/wife, who is facing the proceedings for restitution of conjugal rights, at the instance of the husband in H.M.O.P.No.29 of 2019 on the file of the Sub-Court, Muthukulathur, seeks transfer of the same to the file of the the Family Court, Madurai.

2. Admittedly, the wife resides at Madurai District and transfer is sought for mainly on the ground of convenience.

3. Though notice was served on the respondent and his name was printed in the cause list, there is no representation on his behalf.

4.Considering the convenience of the wife, H.M.O.P.No.29 of 2019, on the file of the Sub-Court, Mudhukulathur, can be transferred to the file of the Family Court, Madurai.

5. In view of the above, this Transfer Civil Miscellaneous Petition is allowed and the proceedings in H.M.O.P.No.29 of 2019, is withdrawn from the file of the Sub-Court, Mudhukulathur and transferred to Family Court, Madurai, to be tried along with H.M.O.P.No.1267 of 2019. The learned Subordinate Judge, Mudhukulathur, is directed to transmit the papers to the Family Court, Madurai, forthwith.



6. The learned Judge, Family Court, Madurai, is directed to dispose of the proceedings in H.M.O.P.No.29 of 2019 along with H.M.O.P.No.1267 of 2019, within a period of six months from the date of receipt of the papers from the Sub-Court, Muthukulathur, 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-I)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

ls/pm

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 Subordinate Judge,
Muthukulathur.

2. The Judge,
Family Court,
Madurai.

Tr.C.M.P (MD) No.209 of 2020

27.11.2020

VB (07.12.2020) 2P 3C