



Before the MADURAI Bench of Madras High Court

Dated: 16.03.2020

CORAM

WEB COPY

**THE HONOURABLE Mrs.JUSTICE R.THARANI**

TR C.M.P (MD) No.342 of 2019  
and  
C.M.P.(MD)No.7920 of 2019

Mubarak Ali ... Petitioner/Respondent

-Vs-

Rabiyammal ... Respondent/Petitioner

**Prayer:** Transfer Civil Miscellaneous Petition is filed under Section 24 of Civil Procedure Code, to withdraw the case in M.C.No.18 of 2019 on the file of the Additional Chief Judicial Magistrate, Madurai and to transfer the same to the Family Court, Madurai try alongwith O.S.No.16 of 2019.

For Petitioner : Mr.D.S.Haroon Rasheed  
For Respondent : Mr.M.Mohamed Ajees Dheen

**O R D E R**

This Transfer Civil Miscellaneous petition is filed by the petitioner / husband seeking to transfer M.C.No.18 of 2019 on the file of the Additional Chief Judicial Magistrate, Madurai, Madurai District, to the file of the Family Court, Madurai.

2. On the side of the petitioner, it is stated that already the petitioner filed a petition in O.S.No.16 of 2019, which is pending, before the Family Court, Madurai. The respondent / wife has filed a petition in M.C.No.18 of 2019 on the file of the Additional Chief Judicial Magistrate, Madurai, and prayed the maintenance case to be transferred to the Family Court, Madurai and to be tried together.

3. The learned counsel for the respondent has no serious objection and requested this Court, to fix the time frame for disposal of both the cases.

4. In view of the above representation, the case pending before the Additional Chief Judicial Magistrate, Madurai, in M.C.No.18 of 2019 is withdrawn and is transferred to the Family Court, Madurai for trial along with O.S.No.16 of 2019.



5.The Additional Chief Judicial Magistrate, Madurai, is directed to transmit the entire records in M.C.No.18 of 2019 to the Family Court, Madurai.

6. The Family Court, Madurai, is hereby directed to dispose of both the cases (Maintenance case and the Original Suit) within a period of four months from the date of receipt of copy of this order.

7. With the above directions, this Transfer Civil Miscellaneous Petition is allowed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar ( )

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

To

1.The Family Court,  
Madurai.

2.The Additional Chief Judicial Magistrate,  
Madurai.

+1 CC to M/s.M.MOHAMED AJEESDHEEN, Advocate ( SR-11832[F] dated 16/03/2020 )

+1 CC to M/s.D.S.HAROON RASHEED, Advocate ( SR-11853[F] dated 16/03/2020 )

TR C.M.P (MD) No.342 of 2019  
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TK/12.05.2020/2P/5C