



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated: 02.03.2020

CORAM

THE HONOURABLE Mrs. JUSTICE R.THARANI

TR C.M.P (MD) No.461 of 2019

and

C.M.P(MD) No.10569 of 2019

WEB COPY

R.Mahalakshmi

.... Petitioner/Respondent/Wife

-Vs-

Rajendran

... Respondent/Petitioner/Husband

Prayer: Transfer Civil Miscellaneous Petition is filed under Section 24 of Civil Procedure Code, to withdraw the case in H.M.O.P No.388 of 2019 on the file of Additional Family Judge, Coimbatore and transfer the same to the learned Subordinate Judge, Valliyoor, Tirunelveli District.

For Petitioner	:	Mr.K.S.Selvaganesan
For Respondent	:	No appearance

O R D E R

Though notice has been served on the respondent, none appeared on behalf of the respondent. Therefore, this Court is proceeded to hear the matter in his absence.

2.The above Transfer Civil Miscellaneous petition has been filed by the wife seeking the transfer of H.M.O.P No.388 of 2019 on the file of Additional Family Judge, Coimbatore, to the Sub Court, Valliyoor, Tirunelveli District.

3.On the side of the petitioner, it is stated that she has filed H.M.O.P.No.14 of 2019 pending on the file of the Sub Court, Valliyur, seeking for divorce whereas the respondent has filed a petition before the Additional Family Court, Coimbatore, seeking for restitution of conjugal rights in H.M.O.P.No.388 of 2019. It is also stated that she has to take care of her five years old female child and she could not attend the Additional Family Court, Coimbatore, on all the hearing dates and request that the case pending before the Additional Family Court, Coimbatore to be transferred to Sub Court, Valliyoor.

4.In view of the submissions made by the petitioner, this Transfer Civil Revision Petition is allowed and H.M.O.P(MD) No.98 of 2015 is withdrawn and transferred from the file of the Additional Family Court, Coimbatore to the file of Sub Court, Valliyoor, Tirunelveli District. The learned Judge, Additional Family Court, Coimbatore, is directed to transmit the entire records in H.M.O.P No.388 of 2019 to the Sub Court, Valliyoor, Tirunelveli District. The learned Subordinate Judge, Valliyoor, Tirunelveli District, is hereby



directed to issue fresh summon to the respondent after the case is transferred and renumbered and to tag H.M.O.P(MD)No.388 of 2015 along with H.M.O.P(MD) No.14 of 2019 which is pending on his file, to conduct joint trial. No costs. Consequently, connected Miscellaneous Petition is closed.

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Sd/-

Assistant Registrar (P&A)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

cp

To

1.The Judge, Additional Family Court,
Coimbatore.

2.The Subordinate Judge, Valliyoor,
Tirunelveli District.

+1 CC to M/s.K.S.SELVAGANESAN, Advocate (SR-9829[F]

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