



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.12.2020

CORAM

THE HON'BLE MR.JUSTICE R.MAHADEVAN

Tr.C.M.P (MD)No.493 of 2019
and C.M.P (MD) No. 11506 of 2019

WEB COPY

S.Suganya

... Petitioner/Respondent

-Vs-

S.Rajaguru

... Respondent/Petitioner

Prayer: Transfer Civil Miscellaneous Petition filed under Section 24 of C.P.C., to withdraw the H.M.O.P.No.1029 of 2019 pending on the file of the Family Court, Madurai and try along with H.M.O.P.No.463 of 2020 on the file of the Principal Family Court at Coimbatore.
(Prayer amended vide order dated 31.08.2020
made in C.M.P(MD)No.4088 of 2020)

For Petitioner : Mr.N.R.Elango, Senior Counsel
for Mr.M.Krishnamoorthy

For Respondent : Mr.S.Srinivasa Raghavan

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.1029 of 2019 on the file of the Family Court, Madurai, seeks transfer of the same and try along with H.M.O.P.No.463 of 2020 on the file of the learned Principal Family Court, Coimbatore.

2. When the matter is taken up of hearing, both the learned counsel for the parties agreed for transfer of the cases in H.M.O.P.No.1029 of 2019, from the file of the Family Court, Madurai and H.M.O.P.No.463 of 2020 from the file of the Principal Family Court, Coimbatore to the file of the Family Court, Salem and both the learned counsel further submitted that there is every possibility for amicable settlement and hence, prayed for dispensing with the personal appearance of the parties and agree to appear as and when required before the learned Judge, Family Court, Salem.

3. In view of the same, the Transfer Civil Miscellaneous Petition is allowed and the proceedings in H.M.O.P.No.1029 of 2019 from the file of the Family Court, Madurai and H.M.O.P.No.463 of 2020 from the file of the Principal Family Court, Coimbatore are withdrawn and transferred to the Family Court, Salem. The Family Court, Madurai and the Principal Family Court, Coimbatore are directed to transmit the papers in H.M.O.P.No.1029 of 2019 and



H.M.O.P.No.463 of 2020 respectively to the Family Court, Salem, forthwith.

4. The learned Judge, Family Court, Salem, is directed to dispose of the proceedings in H.M.O.P.No.1029 of 2019 and H.M.O.P.No.463 of 2020 within a period of six months from the date of receipt of the papers from the Family Court, Madurai and from the Principal Family Court, Coimbatore, after due notice and opportunity to both parties. Since both the learned counsel submitted that there is every possibility for amicable settlement, the personal appearance of both the parties are dispensed with and they are directed to appear as and when required before the learned Judge, Family Court, Salem, for appropriate conduct of the proceedings. However, there will be no order as to costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS III)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

pkn

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,
Madurai.
 2. The Judge,
Family Court,
Salem.
 3. The Judge,
Principal Family Court,
Coimbatore.
 4. The Record Keeper, V.R.Section,
Madurai Bench of Madras High Court, Madurai. (2 Copies)
- +1 cc to Mr.S.SRINIVASA RAGHAVAN ,Advocate, SR No.26478
+1 cc to Mr.M.KRISHNAMOORTHY ,Advocate, SR No.25393

Tr.C.M.P(MD)No.493 of 2019

10.12.2020

MK(CO)

KK(05.01.2021) 2P 8C

<https://hcservices.ecourts.gov.in/hcservices/>