



WEB COPY

Tr.C.M.P.(MD)No.530 of 2019

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12.02.2020

CORAM:

THE HONOURABLE MR. JUSTICE R. SUBRAMANIAN

Tr.C.M.P. (MD)No.530 of 2019

and

C.M.P. (MD)Nos.12345 and 12347 of 2019

S.Suresh

... Petitioner / Respondent

Vs.

G.Srilakshmi

... Respondent / Petitioner

PRAYER: This Petition is filed under Section 24 of Civil Procedure Code, to withdraw H.M.O.P.No.28 of 2018 on the file of the Subordinate Court, Thuraiyur, and transfer the same to Family Court, Karur to be tried along with H.M.O.P.No.274 of 2018 pending on the file of the Family Court, Karur.

For Petitioners

: Mrs.P.Malini

For Respondent

: Mrs.S.S.Prabhashini

O R D E R

The husband, who has launched proceedings for divorce in H.M.O.P.No.274 of 2018 on the file of the Family Court, Karur seeks transfer of H.M.O.P.No.28 of 2018 filed by the wife on the file of the Sub Court, Thuraiyur to the Family Court, Karur to be tried along with H.M.O.P.No.274 of 2018.

2.Admittedly, the husband is a resident of Bangalore, where he is said to be working. If the proceedings are transferred to a Family Court, he will also have difficulties in attending the hearings, since the proceedings before the Family Court require the presence of the parties for every hearing. It is also stated that the wife, the respondent herein is taking care of her 4 years old minor daughter.

3.Considering the convenience of the parties, I am of the considered opinion that H.M.O.P.No.274 of 2018 could be transferred to the Sub Court, Thuraiyur to be tried along with H.M.O.P.No.28 of 2018. This will save considerable hardship to the husband, who is residing at Bangalore.

4.In view of the above, this Transfer Civil Miscellaneous Petition is allowed. H.M.O.P.No.274 of 2018 pending on the file of the Family Court, Karur is withdrawn and transferred to Sub Court, Thuraiyur, for being disposed of along with H.M.O.P.No.28 of 2018, which is pending on the file of the Sub Court, Thuraiyur. The Family



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Court, Karur, is directed to transmit the papers in H.M.O.P.No.274 of 2018 to the Sub Court, Thuraiyur, forthwith. However, there shall be no order as to costs. Consequently, connected Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

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To

1.The Judge, Family Court, Karur.

2.The Subordinate Judge, Thuraiyur.

+1 CC to M/s.R.RAVINDRAN, Advocate (SR-5926[F] dated 12/02/2020)

+1 CC to M/s.P.MALINI, Advocate (SR-6155[F] dated 13/02/2020)

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SMA/25/02/2020/2P/5C