



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.03.2021

CORAM

THE HON'BLE MR.JUSTICE R.SUBRAMANIAN

Tr.C.M.P(MD)No.37 of 2021
and
C.M.P(MD) No.710 of 2021

S.V.S.J.Arul Mari

... Petitioner/Respondent

-Vs-

K.Thirumurugan

... Respondent/Petitioner

Prayer: Transfer Civil Miscellaneous Petition filed under Section 24 of C.P.C., to withdraw M.O.P No.429 of 2020 pending on the file of the Family Court at Pondicherry and transfer the same to the file of the III Additional Sub Court, Madurai and to try along with H.M.O.P.No.106 of 2020.

For Petitioner : Mr.R.Murali

For Respondent : No Appearance

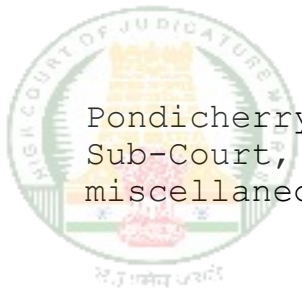
O R D E R

The wife/petitioner seeks transfer of M.O.P.No.429 of 2020 on the file of the Family Court, Pondicherry to III Additional Sub Court, Madurai, to be tried along with H.M.O,P.No.106 of 2020.

2.While, H.M.O.P.No.106 of 2020 is one for restitution of conjugal rights, M.O.P.No.429 of 2020 has been filed for divorce. Needless to state that there is a possibility of conflicting judgments, if both petitions are tried separately.

3.Despite service, the husband/respondent herein is not appearing either in person or through counsel duly instructed.

4.Considering the fact that there is a possibility of conflicting judgments and the fact that the wife is a resident of Madurai, this Transfer Civil Miscellaneous Petition is allowed and the proceedings in M.O.P.No.429 of 2020 is withdrawn from the file of the Family Court, Pondicherry and transferred to the file of III Additional Sub-Court, Madurai, to be tried along with H.M.O.P.No.106 of 2020 and disposed of, in accordance with law. The Family Court,



Pondicherry is directed to transmit the records to III Additional Sub-Court, Madurai forthwith. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar ()

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// True Copy //

/ /2021

Sub Assistant Registrar(CS)

VSM

To

- 1.The Judge,
Family Court,
Pondicherry.
- 2.The III Additional Subordinate Judge,
Madurai.
- 3.The Record Keeper,
V.R.Section,
Madurai Bench of Madras High Court,
Madurai.(2 copies)

+1 CC to Mr.R.MURALI, Advocate (SR-8362[F] dated 03/03/2021)

Order made in
Tr.C.M.P(MD)No.37 of 2021 and
C.M.P(MD) No.710 of 2021
02.03.2021

SVN(CO)

SRS (10/03/2021) 2P : 6C