



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :16.04.2021

CORAM:

THE HONOURABLE MR.JUSTICE A.A.NAKKIRAN

Tr.C.M.P. (MD) Nos.47 of 2021 and 277 of 2020
and
C.M.P. (MD)Nos.987 of 2021 and 6218 of 2020

In Tr.C.M.P (MD)No.47 of 2021:

J.Prasath

... Petitioner

-vs-

R.Aiswarya

... Respondent

PRAYER: Transfer Civil Miscellaneous Petition is filed under Section 24 of the Code of Civil Procedure, to withdraw H.M.O.P No.1028 of 2020 on the file of the Additional Family Court, Coimbatore and transfer the same to the file of the Sub Court, Thirumangalam to be tried along with H.M.O.P.No.141 of 2020.

For Petitioner : Mrs.Porkodi Karnan

For Respondent : Mr.V.P.Rajan

In Tr.C.M.P (MD)No.277 of 2020:

R.Aiswarya

... Petitioner

-vs-

J.Prasath

... Respondent

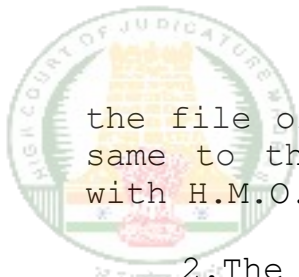
PRAYER: Transfer Civil Miscellaneous Petition is filed under Section 24 of the Code of Civil Procedure, to withdraw H.M.O.P No.141 of 2020 on the file of Sub Court, Thirumangalam and transfer the same to the file of the Family Court, Coimbatore.

For Petitioner : Mr.V.P.Rajan

For Respondent : Mrs.Porkodi Karnan

C O M M O N O R D E R

The present Transfer Civil Miscellaneous Petition in Tr.C.M.P (MD)No.47 of 2021 is filed to withdraw H.M.O.P No.1028 of 2020 on <https://hcservices.ecourts.gov.in/hcservices/>



the file of the Additional Family Court, Coimbatore and transfer the same to the file of the Sub Court, Tirumangalam to be tried along with H.M.O.P.No. 141 of 2020 .

2.The present Transfer Civil Miscellaneous Petition in Tr.C.M.P (MD)No.277 of 2020 is filed to withdraw H.M.O.P.No. 141 of 2020 on the file of the Sub Court, Tirumangalam and transfer the same to the file of the Family Court Coimabatore.

3. H.M.O.P.No.1028 of 2020 on the file of the Additional Family Court, Coimbatore is filed for restitution of conjugal rights by the wife. H.M.O.P.No.141 of 2020 on the file of the Sub Court, Tirumangalam is filed for divorce by the husband.

4. Both counsel appearing for the parties in both petitions are heard. This Court has perused the materials available on record.

5. Mrs.Porkodi Karnan, learned counsel appearing for the husband submits that the respondent/husband has no objection for transferring the case in H.M.O.P.No.141 of 2020 pending on the file of the Sub Court, Tirumangalam to the file of the Additional Family Court, Coimbatore to be tried along with H.M.O.P.No.1028 of 2020.

6. In view of the same, H.M.O.P.No.141 of 2020 pending on the file of the Sub Court, Tirumangalam is withdrawn and transferred to the file of the Additional Family Court, Coimbatore to be tried along with H.M.O.P.No.1028 of 2020 for disposal as per law. The Subordinate Judge, Tirumangalam is directed to transmit the papers to the Additional Family Court, Coimbatore, forthwith. The Judge, Additional Family Court, Coimbatore is directed to dispose H.M.O.P.No.141 of 2020 along with HMOP.No. 1028 of 2020 on merits and in accordance with law as expeditiously as possible.

7. The personal appearance of the parties before the Family Court is dispensed with, except on the dates of hearing, on which, the learned Judge insists upon the parties to appear before the Court. On other hearing dates, the counsel on behalf of the parties may appear before the court.

8. In fine, Tr.C.M.P(MD)No.277 of 2020 is allowed and Tr.C.M.P (MD)No.47 of 2021 is dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar

// True Copy //

/ /2021

Sub Assistant Registrar(CS)



To:

1. The Subordinate Judge, Sub Court, Tirumangalam
2. The Additional Judge, Additional Family Court,
Coimbatore.

+2 CC to M/s.POLAX LEGAL SOLUTIONS, Advocate (SR-16163 and 16165[F]
dated 17/04/2021)

Order made in
Tr.C.M.P. (MD) Nos.47 of 2021 and 277 of 2020
and
C.M.P. (MD) Nos.987 of 2021 and 6218 of 2020

Dated:
16.04.2021

MSA/CM
AM/29/04/2021/3P/5C