



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :21.04.2021

CORAM:

THE HONOURABLE MR.JUSTICE A.A.NAKKIRAN

Tr.C.M.P. (MD) No.94 of 2021

and

C.M.P. (MD) No.2028 of 2021

P.Muthulakshmi

...Petitioner/Respondent

-VS-

A.Parthiban

...Respondent/Petitioner

PRAYER: Transfer Civil Miscellaneous Petition is filed under Section 24 of the Code of Civil Procedure, to withdraw the H.M.O.P.No.375 of 2020 on the file of the Family Court, Perambalur and transfer the same to the file of the Family Court, Tiruchirappalli for having joint trial along with H.M.O.P.No.262 of 2020 pending on the file of the Family Court, Tiruchirappalli.

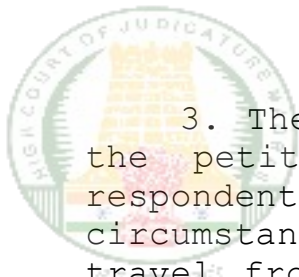
For Petitioner : Mr.H.Arumugam

For Respondent : No appearance

O R D E R

The present Transfer Civil Miscellaneous Petition is filed to withdraw the H.M.O.P.No.375 of 2020 on the file of the Family Court, Perambalur and transfer the same to the file of the Family Court, Tiruchirappalli for having joint trial along with H.M.O.P.No.262 of 2020 pending on the file of the Family Court, Tiruchirappalli.

2.The petitioner/wife has filed H.M.O.P.No.262 of 2020 before the Family Court, Tiruchirappalli for divorce. The respondent/husband has filed H.M.O.P.No. 375 of 2020 before the Sub Court, Family Court, Perambalur for the relief of restitution of conjugal rights.



3. The learned counsel for the petitioner/wife submitted that the petitioner is living with support of her parents. The respondent/husband has not paid any maintenance amount. In such circumstances, without any financial aid, it is very difficult to travel from Trichy to Perambalur for attending every hearing in H.M.O.P.No.375 of 2020 on the file of the Family Court, Perambalur.

4. Today, when the matter is taken up for hearing, there is no representation on behalf of the respondent either in person or through counsel.

5. This Court considered the arguments made by the learned counsel for the petitioner.

6. This Court is satisfied with the reasons stated in the affidavit filed in support of this petition.

7. Considering the facts and circumstances of the case and considering the submission made by the learned counsel for the petitioner, H.M.O.P.No.375 of 2020 is withdrawn from the file of the Family Court, Perambalur and transferred to the file of the Family Court, Tiruchirappalli to be tried along with H.M.O.P.No.262 of 2020 for disposal as per law. The Judge, Family Court, Perambalur, is directed to transmit the papers to the Family Court, Tiruchirappalli forthwith. The Judge, Family Court, Tiruchirappalli is directed to dispose H.M.O.P.No.375 of 2020 along with H.M.O.P.No.262 of 2020 on merits and in accordance with law as expeditiously as possible.

8. In fine, this petition is allowed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (AS)

// True Copy //

/ /2021

Sub Assistant Registrar (CS)

msa/CM

To:

1. The Judge

Family Court, Perambalur , Perambalur District

2. The Judge, Family Court

Tiruchirappalli , Tiruchirappalli District

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



WEB COPY

Tr.C.M.P.(MD) No.94 of 2021

Order made in
Tr.C.M.P. (MD) No.94 of 2021
and
C.M.P. (MD) No.2028 of 2021

Dated:
21.04.2021

AV (10.05.2021) 3P 3 C