



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 11.01.2021

CORAM:

THE HONOURABLE MR.JUSTICE **R.SUBRAMANIAN**

Tr.C.M.P. (MD)No.120 of 2020

and

C.M.P. (MD)No.2317 of 2020

WEB COPY

I.Prabha

... Petitioner

versus

S.Ramkumar

... Respondent

Transfer Petition filed under Section 24 of C.P.C. seeking to withdraw the petition in H.M.O.P.No.10 of 2020 from the file of the Family Court, Karur, to transfer the same to the Family Court, Madurai and to try along with the petition in H.M.O.P.No.32 of 2020 on the file of the Family Court, Madurai.

For Petitioner : Mr.S.I.Muthiah
For Respondent : Mr.R.Chandrasekar

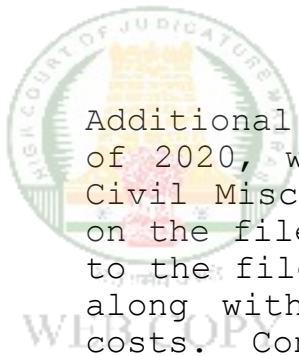
ORDER

The wife/petitioner seeks transfer of H.M.O.P.No.10 of 2020, filed by the husband, on the file of the Family Court, Karur, seeking restitution of conjugal rights, to the III Additional Sub Court, Madurai (wrongly stated as Family Court, Madurai in the petition), to be tried along with H.M.O.P.No.32 of 2020 filed by her, seeking divorce on the file of the Sub Court, Madurai.

2. Though the wife was willing for consent divorce, the learned counsel for the husband would report that the husband is not ready to accept the offer made by the wife for consent divorce. The transfer of proceedings pending before the Family Court, Karur, is sought for mainly on the ground of convenience.

3. Mr.S.I.Muthiah, learned counsel for the petitioner would submit that the conduct of the proceedings before the III Additional Sub Court, Madurai, would be much more convenient for the parties, since the parties need not appear for every hearing before the Sub Court, Madurai.

4. Considering the fact that the wife is a resident of Madurai and the proceedings for divorce launched by her are pending on the file of the III Additional Sub Court, Madurai, I am of the considered opinion that the transfer of H.M.O.P.No.10 of 2020 pending on the file of the Family Court, Karur, to the III



Additional Sub Court, Madurai, to be tried along with H.M.O.P.No.32 of 2020, will meet the ends of justice. Therefore, this Transfer Civil Miscellaneous Petition is allowed and H.M.O.P.No.10 of 2020 on the file of the Family Court, Karur, is withdrawn and transferred to the file of III Additional Sub Court, Madurai, to be tried along with H.M.O.P.No.32 of 2012 and disposed of the same. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (AD-I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

ogy

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,
Karur.
2. The III Additional Sub Judge,
Madurai.

Tr.C.M.P. (MD) No.120 of 2020
and
C.M.P. (MD) No.2317 of 2020
11.01.2021

KVN(CO)
CS(25.01.2021) 2P 3C