



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.11.2021

CORAM:

THE HONOURABLE MS.JUSTICE P.T.ASHA

Tr.C.M.P. (MD) No.241 of 2021

and

C.M.P. (MD) No.4545 of 2021

WEB COPY

M.Haripoorna

... Petitioner/Respondent

-vs-

P.Ramkumar

... Respondent/Petitioner

Prayer:- Petition filed under Section 24 of Civil Procedure Code to withdraw and transfer H.M.O.P.No.79 of 2021 pending on the file of Family Court, Tirunelveli to Family Court, Madurai.

For Petitioner : Mr.C.Godwin
For Respondent : Mr.M.S.Jawaharlal

ORDER

This petition has been filed by the petitioner/wife, seeking transfer of H.M.O.P.No.79 of 2021 pending on the file of the Family Court, Tirunelveli to the file of the Family Court at Madurai.

2.Records would show that the wife has also filed a petition for restitution of conjugal rights before the Family Court, Madurai in H.M.O.P.No.319 of 2021.

3.Learned counsel for the petitioner would submit that the petitioner is a resident of Madurai, since she is now residing with her parents after leaving the matrimonial home.

4.Learned counsel for the respondent would submit that the respondent is working at Chennai.

5.Considering the fact that the respondent's petition for divorce is filed and pending before the Family Court at Tirunelveli for which he has to travel from Chennai to Tirunelveli, interest of justice would be subserved, if H.M.O.P.No.79 of 2021 pending on the file of the Family Court, Tirunelveli is transferred to the file of the Family Court, Madurai to be tried along with H.M.O.P.No.319 of 2021, since the Family Court, Madurai is also vested with the jurisdiction to hear the said petition.

<https://hcservices.co.in/go-in/cases> Counsel for the respondent requests this Court to



dispense with the presence of the respondent.

7.Considering the fact that the respondent is now working at Chennai, the presence of the respondent is dispensed with for the regular hearing, except for counselling and for adducing evidence.

8.The Transfer Civil Miscellaneous Petition is allowed on the above terms. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (A.D I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

abr

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, Tirunelveli.

2.The Judge,
Family Court, Madurai.

+1 CC to M/s.C.GODWIN, Advocate (SR-35690[F] dated 24/11/2021)

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RS (08.12.2021) 2P 4C