



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.11.2021

CORAM:

THE HONOURABLE MS.JUSTICE P.T.ASHA

Tr.C.M.P. (MD) No.416 of 2021

and

C.M.P. (MD) No.8155 of 2021

WEB COPY

Er.S.Dhivya .. Petitioner/Respondent
-vs-

Dr.R.Manoj .. Respondent/Petitioner

Prayer :- Petition filed under Section 24 of Civil Procedure Code to withdraw the petition in H.M.O.P.No.77 of 2021 on the file of the Family Court, Thanjavur and transfer the same to the file of Family Court, Theni.

For Petitioner : Mr.K.Gokul

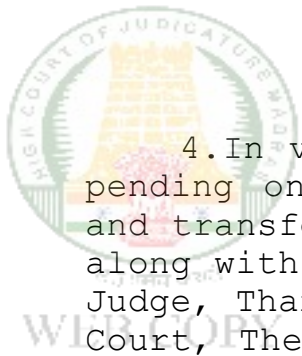
For Respondent : Mr.P.Edin Brough

ORDER

The petitioner/wife, who is the respondent in H.M.O.P.No.77 of 2021 before the Family Court, Thanjavur has filed this petition to transfer the above proceedings to the Family Court at Theni.

2.The learned counsel for the petitioner would submit that the petitioner and her minor child aged 4 years are residing at Theni in her maternal home. The petitioner has already filed a maintenance case in M.C.No.6 of 2021 on the file of the Family Court, Theni and has also filed Guardian and Wards Original Petition in G.W.O.P.No.55 of 2021 on the file of the Family Court, Theni itself. That apart, she has filed Domestic Violence Case in D.V.C.No.11 of 2021 on the file of the Additional Mahila Court (Judicial Magistrate Level), Theni.Further, the respondent/Husband is already attending these proceedings at the Family Court, Theni and the Additional Mahila Court (Judicial Magistrate level), Theni. In these circumstances, the petitioner would seek to have the petition for divorce filed by the respondent on the file of the Family Court at Thanjavur to be transferred to the file of the Family Court at Theni.

3.The learned counsel appearing on behalf of the respondent would submit that this Court may direct all the matters to be heard together.



4. In view of the above, the petition in H.M.O.P.No.77 of 2021 pending on the file of the Family Court, Thanjavur is withdrawn and transferred to the file of the Family Court, Theni to be tried along with M.C.No.6 of 2021 and G.W.O.P.No.55 of 2021. The Family Judge, Thanjavur is directed to send the case papers to the Family Court, Theni immediately on receipt of a copy of this order. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS-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 Family Court, Thanjavur.

2.The Family Court, Theni.

+1 CC to M/s.K.GOKUL, Advocate (SR-34147[F] dated 11/11/2021)

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Dated: 09.11.2021

RK/PM(24/11/2021) 2P 4C