



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 18.03.2022

CORAM :

WEB COPY

THE HONOURABLE MRS.JUSTICE S.ANANTHI

Tr.C.M.P(MD).No.50 of 2022

and

C.M.P(MD)No.978 of 2022

M.Suriya

...Petitioner/ Respondent

Vs.

K.M.Navaneetha Krishnan

...Respondent/Petitioner

PRAYER: Transfer Civil Miscellaneous Petition filed under Section 24 of Civil Procedure Code, to withdraw the case in HMOP.No.354 of 2021 pending on the file of Family Court, Sivagangai and transfer the same to the file of Family Court, Madurai to be tried along with HMOP.No.876 of 2021 on the file of Family Court, Madurai.

For Petitioner : Mr.D.Malaichamy
For Respondent : Mr.R.Udhayakumar

O R D E R

This Transfer Civil Miscellaneous Petition has been filed to withdraw the case in HMOP.No.354 of 2021 pending on the file of Family Court, Sivagangai and transfer the same to the file of Family Court, Madurai to be tried along with HMOP.No.876 of 2021 on the file of Family Court, Madurai.

2.The learned counsel for the petitioner submitted that H.M.O.P.No.354 of 2021 was filed by the respondent/husband, for divorce before the Family Court, Sivagangai and HMOP.No.876 of 2021 was filed by the petitioner/wife, for seeking restitution of conjugal rights before the Family Court, Madurai. Since she is residing at Madurai along with her minor child and the respondent/husband and his family members are politically influenced persons, she is afraid to attend the said Court. Hence, she seeks transfer of the case.

3.The learned counsel for the respondent vehemently opposed for allowing this petition.

4.Considering the facts and circumstances of the case and also considering the fact that the petitioner/wife is at Madurai with her minor child, HMOP.No.354 of 2021 pending on the file of Family Court, Sivagangai is ordered to be withdrawn and transferred it to



the file of Family Court, Madurai along with HMOP.No.876 of 2021. If any influence is caused to the respondent, he can give a police complaint.

5.In the result, this Transfer Civil Miscellaneous Petition is allowed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (Records)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

vsd

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,
Sivagangai.

2.The Judge,Family Court,
Madurai.

+1 CC to M/s.D.MALAICHAMY, Advocate (SR-12918[F] dated 18/03/2022)

Tr.C.M.P(MD) .No.50 of 2022

and

C.M.P(MD)No.978 of 2022

18.03.2022

RK(18/04/2022) 2P 4C