



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 25.03.2022

CORAM :

WEB COPY

THE HONOURABLE MRS.JUSTICE S.ANANTHI

Tr.C.M.P(MD) .No.53 of 2022

and

C.M.P(MD)No.998 of 2022

Arthi ...Petitioner/Respondent

Vs.

Arockia Robert Mervin ...Respondent/Petitioner

PRAYER: This Transfer Civil Miscellaneous Petition filed under Section 24 of Civil Procedure Code, to withdraw I.D.O.P.No.12 of 2022 from the file of the Additional District Judge (Fast Track Court) at Tenkasi and transfer the same to the file of the Family Court, Theni.

For Petitioner : Mr.C.Murugavel

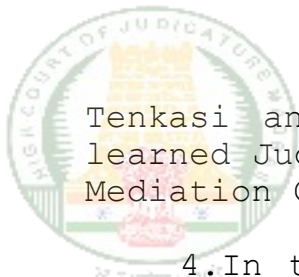
For Respondent : Mr.D.Balamurugapandi

O R D E R

This petition is filed to withdraw the case in I.D.O.P.No.12 of 2022 from the file of the Additional District Court (Fast Track Court), Tenkasi and transfer the same to the file of Family Court, Theni.

2.The learned counsel for the petitioner submitted that I.D.O.P.No.12 of 2022 was filed by the respondent/husband, for seeking restitution of conjugal rights before the learned Additional District Judge (Fast Track Court), Tenkasi and M.C.No.10 of 2021 was filed by the petitioner/wife, for seeking maintenance before the Judicial Magistrate, Periyakulam. Since the petitioner is residing at Theni along with three years old child, she cannot go to Tenkasi to attend the Court hearings. Hence, she seeks to transfer the case as prayed for.

3.Considering the facts and circumstances of the case and also considering the submission made the learned counsel for the petitioner, I.D.O.P.No.12 of 2022 is ordered to be withdrawn from the file of the Additional District Court (Fast Track Court),



Tenkasi and transferred to the file of Family Court, Theni. The learned Judge, Family Court, Theni is directed to send the cases to Mediation Centre after that the trial can be proceeded with.

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

Sd/-

Assistant Registrar (CS-II)

// 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 Additional District Judge(Fast Track Court),
Tenkasi.

2.The Judge, Family Court,
Theni.

+1 CC to M/s.D.BALAMURUGAPANDI, Advocate (SR-14714[F] dated 25/03/2022)

+1 CC to M/s.C.MURUGAVEL, Advocate (SR-15117[F] dated 29/03/2022)

Tr.C.M.P(MD).No.53 of 2022

and

C.M.P(MD)No.998 of 2022

25.03.2022

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