



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated: 24.06.2022

CORAM:

THE HONOURABLE MR. JUSTICE **B. PUGALENDHI**

TR CMP (MD) Nos. 218 & 232 of 2022
and
CMP (MD) Nos. 3879 & 4045 of 2022

Edwin Jayakumar ... Petitioner in both petitions

Vs

1.A.Thatchar ... 1st Respondent in
both petitions

2.Devi Philomena @ Janu ... 2nd Respondent in
Tr.CMP (MD) No.232/2022

PRAYER in Tr.CMP(MD)218/2022: Transfer Civil Miscellaneous Petition filed under Section 24 of the Civil Procedure Code, to transfer the case in I.D.O.P.No.95 of 2020 on the file of the Family Court, Tiruchirappalli, to the file of the Family Court, Pudukottai.

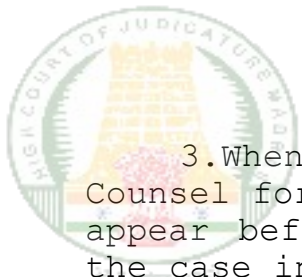
PRAYER in Tr.CMP(MD)232/2022: Transfer Civil Miscellaneous Petition filed under Section 24 of the Civil Procedure Code, to transfer the case in I.D.O.P.No.127 of 2021 on the file of the Family Court, Tanjore, to the file of the Family Court, Pudukottai.

For Petitioner : Mr.S.M.Arunkumar
[in both petitions]

COMMON ORDER

The husband is the petitioner in both these petitions. The marriage between the petitioner and the first respondent was solemnized on 02.12.2019 at St.Lourders Church, Manapparai, Trichy. After the marriage, they lived happily for some time, but, thereafter, there was a strained relationship between them, due to which, the first respondent left the matrimonial house.

2.The petitioner has therefore filed IDOP.No.95 of 2020 before the Family Court, Trichy, seeking restitution of conjugal rights and in the meantime, the first respondent has filed IDOP.No.127 of 2021 before the Family Court, Tanjore seeking dissolution of marriage. The petitioner, apprehending that he may face certain threat at Tanjore, has filed these applications to transfer both the IDOPs to a common place between Trichy and Tanjore, ie., to Pudukottai.



3. When these applications came up for hearing today, learned Counsel for the petitioner submitted that the petitioner is ready to appear before the Family Court, Tanjore and requested to transfer the case in IDOP.No.95 of 2020 filed by him before the Family Court, Trichy, to the Family Court, Tanjore, so that it can be tagged and tried along with IDOP.No.127 of 2021 filed by the first respondent before the Family Court, Tanjore.

4. In view of the aforesaid submission and since the wife has already filed an application for divorce before the Family Court, Tanjore, both these petitions are disposed of, with the following directions:-

i. The petition in IDOP.No.95 of 2020 pending before the Family Court, Trichy, stands withdrawn and transferred to the file of the Family Court, Tanjore.

ii. The learned Judge, Family Court, Trichy, is directed to send the entire case records in IDOP.No.95 of 2020 within a period of fifteen days from the date of receipt of a copy of this order to the learned Judge, Family Court, Tanjore.

iii. The learned Judge, Family Court, Tanjore, shall try both IDOP.No.127 of 2021 filed by the wife for divorce and IDOP.No.95 of 2020 (since transferred) filed by the husband for restitution of conjugal rights, together and shall dispose of the same, in accordance with law.

There shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar(AD-II)

// True Copy //

/07/2022

Sub Assistant Registrar(CS)

gk

To

1. The Judge,
Family Court,
Tiruchirappalli.

2. The Judge,
Family Court,
Pudukottai.



3. The Judge,
Family Court,
Tanjore.

+1 CC to M/s.S.M. ARUN KUMAAR, Advocate (SR-28415[F] dated
28/06/2022)

TR CMP (MD) Nos. 218 & 232 of 2022
24.06.2022

NSN (CO)
KB (07.07.2022) 3P 5C