



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 07.04.2022

CORAM :

THE HONOURABLE MRS.JUSTICE S.ANANTHI

Tr.C.M.P. (MD) .No.508 of 2021

and

C.M.P. (MD) No.9406 of 2021

V.Janet Jachebed

...Petitioner/Respondent

Vs.

M.Chris Manohar David

...Respondent/Petitioner

**PRAYER:** Transfer Civil Miscellaneous Petition filed under Section 24 of the Civil Procedure Code, to withdraw the proceedings in I.D.O.P.No.171 of 2021 on the file of the Principal District Court, Salem, and transfer the same to Family Court, Madurai to be tried along with I.D.O.P.No.901 of 2021.

For Petitioner : Mr.B.Asha

For Respondent : No Appearance

### **O R D E R**

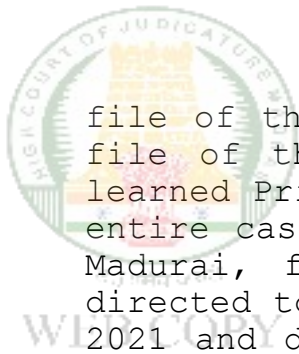
This Transfer Civil Miscellaneous Petition has been filed seeking direction to withdraw and transfer the case in I.D.O.P.No.171 of 2021 from the file of the Principal District Court, Salem, to the file of the Family Court, Madurai, for joint trial along with I.D.O.P.No.901 of 2021.

2.Heard on either side and perused the material documents placed before this Court.

3.Eventhough notice was served to the sole respondent no one is appeared.

4.The respondent/husband has filed a petition in I.D.O.P.No.171 of 2021 for decree of divorce on the file of the Principal District Court, Salem. The revision petitioner/wife has filed a petition in I.D.O.P.No.901 of 2021 on the file of the Family Court, Madurai, for restitution of conjugal rights.

5.Considering the facts and circumstances of the case and also considering the fact that the petitioner/wife is residing in Madurai, the case in I.D.O.P. No.171 of 2021 is withdrawn from the



file of the Principal District Court, Salem and transferred to the file of the Family Court, Madurai, for disposal as per law. The learned Principal District Judge, Salem is directed to transmit the entire case papers to the file of the learned Judge, Family Court, Madurai, forthwith. The learned Judge, Family Court, Madurai, is directed to conduct joint trial in I.D.O.P.No.171 of 2021 and 901 of 2021 and dispose the same on merits and in accordance with law as expeditiously as possible. Both the parties are directed to appear before the learned Judge, Family Court, Madurai.

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

Sd/-

Assistant Registrar (R)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

ksa

**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 Principal District Court,  
Salem.

2.The Judge, Family Court,  
Madurai.

Order made in  
Tr.C.M.P. (MD).No.508 of 2021  
07.04.2022

PKP/08.06.2022/2P/3C