



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 11.01.2022

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THE HONOURABLE **MS.JUSTICE P.T.ASHA**

TR.CMP.(MD)No.596 of 2021  
and CMP.(MD)No.10743 of 2021

D.Cyril Raj David Jermin

... Petitioner/Respondent

Vs.

D.Lydia

... Respondent/Petitioner

**PRAYER:-** Petition filed under Section 24 CPC., to withdraw the proceedings in M.C.No.37 of 2020 on the file of the Family Court, Madurai and transfer the same to Principal District Court, Madurai.

For Petitioner : Mr.K.Anand

For Respondent : Mr.K.Samidurai

### **ORDER**

The husband has moved this petition seeking transfer of maintenance case filed by the wife in M.C.No.37 of 2020 on the file of the Family Court, Madurai to the file of the Principal District Court, Madurai, where IDOP.No.313 of 2019 has been transferred from the file of the Family Court, Tirunelveli and renumbered as IDOP.No.43 of 2020.

2.The husband would submit that since maintenance case is pending on the file of the Family Court, Madurai, he has to appear for every hearing in person and for this he has to travel from Tirunelveli to Madurai and he is not keeping good health.

3.Though this Court is not carried away by the illness pleaded by the petitioner, however, taking into account of the fact that the IDOP is pending before the Principal District Court, Madurai, pursuant to the order of this Court, it would be in the interests of both parties to have joint trial in both proceedings and therefore, this transfer civil miscellaneous petition is allowed and the maintenance case in M.C.No.37 of 2020 is withdrawn from the file of the Family Court, Madurai and transferred to the file of the Principal District Court, Madurai. The learned Principal District



Judge, Madurai shall proceed to dispose of both petitions at the earliest, preferably, by 31.07.2022. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (AD I)

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/ /2022

Sub Assistant Registrar(CS)

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**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,  
Madurai.

2.The Principal District Judge,  
Madurai.

+1 CC to M/s.K.ANAND, Advocate ( SR-1219[F] dated 11/01/2022 )  
TR.CMP. (MD)No.596 of 2021  
11.01.2022

MGJ(04.02.2022) 2P 4C