



WEB COPY



Tr.CMP. No.48 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.03.2023

CORAM :

THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

TR.CMP No.48 of 2023
&CMP.NO. 1408 of 2023

Jayalakshmi @ Megadeepa

.... Petitioner

-Vs-

B.Prabhu

.... Respondent

Prayer : Transfer Civil Miscellaneous Petition under Section 24 of C.P.C., to withdraw and transfer H.F.O.P No. 1042 of 2022 on the file of the Additional District Family Court, Coimbatore to the Hon'ble Subordinate Court, Gobichettipalayam, Erode District and conduct a Joint Trial along with HMOP No. 51 of 2022 which is pending on the file of the Sub Court, Gobichettipalayam, Erode District.

For Petitioner : Mr.R.Vijayan

For Respondent : Not appeared



ORDER

This petition has been filed to withdraw and transfer H.F.O.P No. 1042 of 2022 on the file of the Additional District Family Court, Coimbatore to the Hon'ble Subordinate Court, Gobichettipalayam, Erode District and conduct a Joint Trial along with HMOP No. 51 of 2022 which is pending on the file of the Sub Court, Gobichettipalayam, Erode District.

2. Heard the learned counsel for the petitioner and the learned counsel for the respondent.

3. It is seen from the records that the petitioner filed H.M.O.P no. 51 of 2022, on the file of the Subordinate Court, Gobichettipalayam, for divorce. On the other side, the respondent filed H.F.O.P No. 1042 of 2022, on the file of the Additional District Family Court, Coimbatore, for restitution of conjugal rights.

4. Considering the fact that the petitioner is disabled person hence she is not able to travel to Coimbatore for trial. Therefore, this Court is inclined to transfer H.F.O.P No. 1042 of 2022 pending on the file of the Additional District Family Court, Coimbatore, to Subordinate Court, Gobichettiapalayam, Erode District, and also try the petition along with HMOP No. 51 of 2022.

5Accordingly, the present Tr.C.M.P. is disposed of, H.F.O.P No. 1042 of



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2022 pending on the file of the Additional District Family Court, Coimbatore, is withdrawn and transferred to the file of the Subordinate Court, Gobichettiapalayam, Erode District,. Further Concerned Court is directed to transfer H.F.O.P No. 1042 of 2022 within a period of four weeks from the date of receipt of a copy of this order and the Subordinate Court, Gobichettipalayam, is directed to conduct a Trial in H.F.O.P No. 1042 of 2022 along with HMOP No. 51 of 2022. No costs. Consequently connected miscellaneous petition is closed.

06.03.2023

Index : Yes/No
Internet : Yes/No
pbl

To
1.The Additional Family Court, Coimbatore.
2.The Subordinate Court, Gobichettipalayam.



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T.V.THAMILSELVI, J.
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