



Tr.C.M.P(MD)No.26 of 2023

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **06.04.2023**

CORAM

THE HON'BLE MR.JUSTICE C.SARAVANAN

Tr.C.M.P(MD)No.26 of 2023

and

C.M.P(MD)No.569 of 2023

P.Piramila

... Petitioner/Respondent

Vs.

Boopathy

... Respondent/Petitioner

PRAYER : Transfer Civil Miscellaneous Petition is filed under Section 24 r/w 151 of Code of Civil Procedure, to withdraw the HMOP.No.157 of 2022 on the file of the Family Court, Tirupur and transfer the same to the file of Sub-Court, Sankarankovil for having joint trial along with HMOP.NO.184 of 2022 pending on the file of the Sub-Court, Sankarankovil.

For Petitioner : Mr.N.Vignesh

For Respondent : Mr.No Appearance

ORDER

The present transfer civil miscellaneous petition has been filed to transfer HMOP.No.157 of 2022 from the Family Court, Tirupur, to the Sub-Court, Sankarankovil and to try along with the case in HMOP.NO. 184 of 2022 on the file of Sub-Court, Sankarankovil.



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2. The respondent has already filed HMOP.No.157 of 2022 before the Family Court, Tirupur. The petitioner appears to be keen on joining with the petitioner. Therefore, filed HMOP.No.184 of 2022 for restitution of conjugal rights before the Sub-Court, Sankarankovil.

3.The learned counsel for the petitioner submits that the petitioner is taking care of a minor child aged about 3 years and is living with her parents and is as such not employed. It is therefore submitted that not possible for her to attend the Court proceedings in HMOP.No.157 of 2022 on the Family Court, Tirupur.

4.Considering the above, this petition stands allowed. HMOP.No. 157 of 2022 is directed to be transferred from Family Court, Tirupur, to Sub-Court, Sankarankovil, to be tried along with HMOP.NO.184 of 2022. The Sub-Court, Sankarankovil, shall endeavour to complete the proceedings preferably within a period of 12 months from the date of receipt of a copy of this order. No costs. Consequently, connected miscellaneous petition is closed.

06.04.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
dss



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To

1.The Family Court,
Tirupur.

2.The Sub-Court,
Sankarankovil.



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