



WEB COPY



Tr.C.M.P.(MD)No.77 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 07.03.2023

CORAM

THE HONOURABLE MR.JUSTICE C.SARAVANAN

Tr.C.M.P.(MD)No.77 of 2023

and

C.M.P.(MD)No.1814 of 2023

S.Sharmila

.. Petitioner

Versus

M.Manimaran

.. Respondent

Prayer :- Petition filed under Section 24 of C.P.C., to withdraw the petition in H.M.O.P.No.89 of 2022 from the file of the Subordinate Court, Vedasandur and transfer the same to the Family Court, Dindigul, to try along with H.M.O.P.No.326 of 2022.

For Petitioner : Mr.K.Arunraj

For Respondent : Mr.M.Vigneshkumar

ORDER

This Transfer Civil Miscellaneous Petition is filed to withdraw the petition in H.M.O.P.No.89 of 2022 from the file of the Subordinate Court, Vedasandur and transfer the same to the Family Court, Dindigul, to try along with H.M.O.P.No.326 of 2022.



2. According to the learned counsel for the petitioner/wife, the wife is permanently residing at Kathiranampatti, Reddiyarchathiram Post, Dindigul West Taluk, Dindigul District, along with her parents. She finds it difficult to travel on every occasion to attend hearings in H.M.O.P.No.89 of 2022, filed by the respondent/husband for restitution of conjugal rights, on the file of the Subordinate Court, Vendasandur. The learned counsel appearing for the petitioner further submits that the wife has filed a Petition under Section 13(1)(ia) of the Hindu Marriage Act, 1955 in H.M.O.P.No.326 of 2022 and the same is pending before the Family Court, Dindigul.

3. Considering the fact that the petitioner has already filed H.M.O.P.No.326 of 2022 before the Family Court, Dindigul, H.M.O.P.No.89 of 2022 filed by the respondent, for restitution of conjugal rights, is directed to be transferred for being tried along with H.M.O.P.No.326 of 2022, filed by the petitioner herein.

4. This Transfer Civil Miscellaneous Petition stands allowed in terms of the above direction. No costs. Consequently, connected Miscellaneous Petition is closed.

NCC : Yes/No
Index : Yes/No
Internet : Yes/No
smn2

07.03.2023



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To

1.The Subordinate Judge,
Vedasandur.

2.The Judge,
Family Court,
Dindigul.



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C.SARAVANAN, J.

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Order made in
Tr.C.M.P.(MD)No.77 of 2023

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