



Tr CMP (MD) No. 175 of 2021

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.175 of 2021

and

CMP(MD)No.3322 of 2021

Pandeeswari

... Petitioner

-VS-

Ravichandran

... Respondent

PRAYER: Transfer Civil Miscellaneous Petition is filed under Section 24 of the Code of Civil Procedure, to withdraw the HMOP.No.134 of 2020 pending before the Family Court, Salem, and to transfer the same to the file of the Family Court, Madurai.

For Petitioner : Mr.M.Jeyaprakash

For Respondent : Mr.R.Saravanakumar

ORDER

The present Transfer Civil Miscellaneous Petition is filed to withdraw the case in HMOP.No.134 of 2020 pending on the file of Family Court, Salem, and transfer the same to the file of Family Court, Maurai.



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2.The petitioner/wife is currently residing in Sivagangai in her parents' house. The respondent/husband is residing in Salem. The case and records seems to be indicated that the petitioner/wife had matrimonial home in Salem and that the respondent/husband filed HMOP.No.134 of 2020 before the Family Court, Salem. The petitioner/wife on the other hand filed HMOP.No.281 of 2021 for restitution of conjugal right before the Family Court, Madurai. The petitioner has no independent income and she has also interested in reconsidering the differences with the respondent. So, she has filed the above application for restitution of conjugal right.

3.Considering the fact that the petitioner is unemployed and depends her parents, HMOP.No.134 of 2020 is withdrawn from the on the file of Family Court, Salem, and is transferred to the file of Family Court, Madurai, for disposal as per law. The Family Court, Salem, is directed to transmit the papers to the file of Family Court, Madurai, forthwith. The Family Court, Madurai, is directed to dispose HMOP.No.134 of 2020 on merits and in accordance with law as expeditiously as possible.



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4. In fine, this Transfer Civil Miscellaneous Petition is allowed. No costs.

Consequently, the connected miscellaneous petition is closed.

07.03.2023

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

dss

To:

- 1.The Family Court,
Salem.
2. The Family Court,
Madurai.



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C.SARAVANAN, J.

dss

Order made in
Tr.C.M.P.(MD) No.175 of 2021
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CMP(MD)No.3322 of 2021

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