



Tr CMP (MD) No. 148 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 20.03.2023

CORAM:

THE HONOURABLE MR.JUSTICE C.SARAVANAN

Tr.C.M.P.(MD) No.148 of 2023

and

CMP(MD)No.3354 of 2023

M.Senthil Vadivu @ M.Abarna

... Petitioner/Respondent

-VS-

Mr.S.Murali

... Respondent/Petitioner

PRAYER: Transfer Civil Miscellaneous Petition is filed under Section 24 of the Code of Civil Procedure, to withdraw the case on the file of Sub Judge, Lalgudi in H.M.O.P.No.64 of 2022 and transfer the same to the Family Court, Trichy.

For Petitioner : Mr.T.A.Om Prakash

ORDER

The present Transfer Civil Miscellaneous Petition is filed to withdraw the case in H.M.O.P.No.64 of 2022 pending on the file of Sub Judge, Lalgudi, and transfer the same to the file of the Family Court, Trichy.



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2.This Civil Revision Petition has been filed by the petitioner, who is the respondent in HMOP.No.64 of 2022, which was filed by the respondent before the Sub Court, Lalgudi, under Section 9 of the Hindu Marriage Act, 1955 for restitution of conjugal rights.

3.Reading of the cause title before the Sub Court, Lalgudi in HMOP.No.64 of 2022 indicates that though the petitioner and the respondent are residing in Trichy, HMOP has been however filed before the Sub Court, Lalgudi, because the petitioner and the respondent lived at Mannachanallur within the jurisdiction of the Sub Court, Lalgudi.

4.Considering the fact that the parties are residing in Trichy as per the cause title in HMOP.No.64 of 2022, this Court is inclined to transfer HMOP.No. 64 of 2022 from the Sub Judge, Lalgudi, to Family Court, Trichy. The Family Court, Trichy, shall endeavour to bring closure to the dispute between the parties within a period of 12 months from the date of receipt of a copy of this order.



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

Consequently, the connected miscellaneous petition is closed.

20.03.2023

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

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To:

- 1.The Sub Judge,
Lalgudi.
- 2.The Sub Court,
Trichy.
3. The the Principal District Court,
Thoothukudi.



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C.SARAVANAN, J.

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Order made in
Tr.C.M.P.(MD) No.148 of 2023
and
CMP(MD)No.3354 of 2023

Dated:

20.03.2023