



Tr.C.M.P(MD)No.259 of 2022

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **22.02.2023**

CORAM

THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR

Tr.C.M.P(MD)No.259 of 2022

and

C.M.P(MD)No.4412 of 2022

Suvitha Arockia Mary

... Petitioner/Respondent

Vs.

P.Madhan Kumar

...Respondent/Petitioner

PRAYER : Transfer Civil Miscellaneous Petition is filed under Section 24 of Code of Civil Procedure, to withdraw the I.D.O.P.No.3260 of 2019 on file of the 7th Additional Family Court, Chennai and transfer the same to the file of the Family Court, Trichy to be tried along with I.D.O.P.No. 249 of 2020.

For Petitioner : Mr.T.Lenin Kumar

For Respondent : Mr.C.Suresh Kannan



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ORDER

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The present transfer miscellaneous petition has been filed by the wife seeking to transfer I.D.O.P.No.3260 of 2019 pending on the file of 7th Additional Family Court, Chennai to family Court, Trichy to be tried along with I.D.O.P.No.249 of 2020.

2. According to the learned counsel appearing for the petitioner/wife, the wife had initiated I.D.O.P.No.249 of 2020 for restitution of conjugal rights before the family Court, Trichy and the husband has initiated I.D.O.P.No.3260 of 2019 before the 7th Additional Family Court, Chennai for divorce. She is not in a position to travel to Chennai for every hearing before the Family Court. Hence, she prayed for transferring the same to Family Court, Trichy.

3. Considering the above said facts, I.D.O.P.No.3260 of 2019 pending on the file of 7th Additional Family Court, Chennai is hereby withdrawn and transferred to Family Court, Trichy to be tried along with I.D.O.P.No.249 of 2020. The learned Family Court Judge is directed not to insist upon the personal appearance of the husband unless it is compulsorily required. The parties can be represented through their respective counsels.



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4. With the above said direction, this Transfer Civil Miscellaneous Petition stands allowed. No costs. Consequently, connected Civil Miscellaneous Petition is closed.

22.02.2023

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

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To

- 1.The 7th Additional Family Court,
Chennai.
- 2.The Family Court,
Trichy.
- 3.The Record Keeper,
Vernacular Section,
Madurai Bench of Madras High Court,
Madurai.

R.VIJAYAKUMAR ,J.

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Order made in
Tr.C.M.P(MD)No.259 of 2022

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