



Tr.C.M.P.(MD)No.280 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 13.06.2023

WEB COPY

CORAM

THE HONOURABLE MR.JUSTICE C.SARAVANAN

Tr.C.M.P.(MD)No.280 of 2022

and

C.M.P.(MD)No.4734 of 2022

P.Reka

.. Petitioner

Versus

K.Megarajan

.. Respondent

Prayer :- Petition filed under Section 24 of C.P.C., to withdraw the case in F.C.I.D.O.P.No.93 of 2022, on the file of the Family Court, Chengalpattu, and transfer the same to the file of the Family Court, Madurai, to be tried along with I.D.O.P.No.422 of 2022, on the file of the Family Court, Madurai.

For Petitioner : Mr.K.Muthurakkan

For Respondent : No Appearance

ORDER

The petitioner has filed this Transfer Civil Miscellaneous Petition seeking to withdraw the case in F.C.I.D.O.P.No.93 of 2022, on the file of the Family Court, Chengalpattu, and transfer the same to the file of the Family Court, Madurai, to be tried along with I.D.O.P.No.422 of 2022.



2.Today, when the matter was taken up for hearing, there is no representation on behalf of the respondent, despite service of notice on the respondent through the lower Court counsel and his name being printed in the cause list.

3.In the affidavit filed in support of the present Transfer Civil Miscellaneous Petition, the petitioner has stated as follows:-

"6. I humbly submit that there are two cases regarding our matrimonial dispute and the same are pending before the different courts. Hence to avoid conflicting judgments also, both the cases have to be tried by the same court.

7. I humbly submit that I have to travel nearly 425 K.M., to attend the court. Hence I have to start my travel from midnight to attend the court hearings. Being a lady and having an 8 month old baby, I cannot travel without the help of others.

8. In such circumstances, the petition in F.C.I.D.O.P.No.93 of 2022 on the file of the Family Court, Chengalpattu, has to be withdrawn from the file of that court and transfer the same to the file of the Family Court, Madurai to be tried along with I.D.O.P.No.422 of 2022."

4.Being satisfied with the reasons given, this Court is inclined to allow this Petition, by directing transfer of F.C.I.D.O.P.No.93 of 2022, pending on the file of the Family Court, Chengalpattu, to the file of Family Court, Madurai, to be tried along with I.D.O.P.No.422 of 2022. The Judge, Family Court, Madurai, shall dispose both F.C.I.D.O.P.No.93 of 2022 and I.D.O.P.No.422 of 2022, as expeditiously as possible.



Tr.C.M.P.(MD)No.280 of 2022

5.This Transfer Civil Miscellaneous Petition stands allowed with the above direction. No costs. Consequently, connected Miscellaneous Petition is closed.

WEB COPY

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

13.06.2023

To

1.The Judge,
Family Court,
Chengalattu.

2.The Judge,
Family Court,
Madurai.



WEB COPY



Tr.C.M.P.(MD)No.280 of 2022

C.SARAVANAN, J.

smn2

Order made in
Tr.C.M.P.(MD)No.280 of 2022

13.06.2023