



Tr.C.M.P.(MD) No.537 of 2022

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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.537 of 2022

and

C.M.P(MD)No.8499 of 2022

R.Arul Bhagyaraj

... Petitioner/Respondent

-VS-

Blessline Sampath Kumar

... Respondent/Petitioner

PRAYER: Transfer Civil Miscellaneous Petition is filed under Section 24 of the Code of Civil Procedure, 1908, to withdraw I.D.O.P.No.768 of 2022 on the file of the Family Court, Madurai and transfer the same to the Principal District Court, Madurai.

For Petitioner : Mr.P.Sivachandran

For Respondent : Mr.P.Karthick



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ORDER

The present Transfer Civil Miscellaneous Petition is filed to withdraw the case in I.D.O.P.No.768 of 2022 on the file of the Family Court, Madurai and transfer the same to the Principal District Court, Madurai.

2.The petitioner has filed filed D.O.P.No.254 of 2021 before the District Court, Tirunelveli, to dissolve the marriage with the respondent. On the other hand, the respondent has filed I.D.O.P.No.768 of 2022 before the Family Court, Madurai, for restitution of conjugal rights.

3.The case of the petitioner is that he seeks transfer of I.D.O.P.No.768 of 2022 from the file of the Family Court, Madurai, to the Principal District Court, Madurai where the D.O.P.No.17 of 2022 is pending.

4.Considering the fact that both the petitions are within the of Madurai District, it is ideal for both the cases are tried together as no prejudice will be caused to the respondent, if the Transfer Civil Miscellaneous petition is allowed.



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5. Accordingly, this Transfer Civil Miscellaneous Petition is allowed and the case in I.D.O.P.No.768 of 2022 on the file of the Family Court, Madurai, is withdrawn and transferred to the Principal District Court, Madurai, to be tried along with D.O.P.No.254 of 2021, which has been renumbered as D.O.P.No.17 of 2022. No costs. Consequently, connected miscellaneous petition is closed.

20.03.2023

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

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To:

1. The Family Court Judge,
Madurai.
2. The Principal District Judge,
Madurai,.

C.SARAVANAN, J.

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3/4



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Order made in
Tr.C.M.P.(MD) No.537 of 2022
and
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