



Tr.C.M.P(MD)No.726 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **13.02.2023**

CORAM

THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR

Tr.C.M.P(MD)No.726 of 2022

and

C.M.P(MD)No.11535 of 2022

Sahaya Regina Mary

... Petitioner

Vs.

Bertin Rayan

... Respondent

PRAYER : Transfer Civil Miscellaneous Petition is filed under Section 24 of the Code of Civil Procedure, to withdraw the IDOP.No.18 of 2021 on the file of the Principal District Court, Tirunelveli and to transfer the same to Principal District Court, Chengalpatti or to any other competent Court having jurisdiction.

For Petitioner : Mr.M.S.Parthiban

For Respondent : Mr.G.Mohankumar

ORDER

The present transfer civil miscellaneous petition has been filed by the wife seeking to transfer IDOP.No.18 of 2021 pending on the file of the Principal District Court, Tirunelveli, filed by the husband for divorce to be transferred to the Principal District Court, Chengalpattu or any other competent Court.



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2. The learned counsel appearing on either side have submitted that the parties have entered into a compromise and the parties would like to withdraw the allegations as against each other and file a compromise memo for getting divorce on mutual consent. Further, the learned counsels have pleaded that I.D.O.P.No.18 of 2021 may be transferred to the file of the Family Court, Madurai, so as to record the compromise between the parties, who are now residing at Madurai.

3. Recording the same, this Transfer Civil Miscellaneous Petition is allowed and I.D.O.P.No.18 of 2021 pending on the file of the Principal District Court, Tirunelveli, is hereby withdrawn and transferred to the Family Court, Madurai. As and when such compromise application is filed, considering the fact that the parties are living apart for more than six months, without insisting upon the six months cooling period, the learned Judge, Family Court, Madurai, is directed to consider and record the said compromise, if it is otherwise in order. No costs. Consequently, connected Miscellaneous Petition is closed.

13.02.2023

NCC : Yes / No
Index : Yes / No



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- 1.The Principal District Judge, Tirunelveli.
- 2.The Principal District Judge, Chengalpatti.
- 3.The Record Keeper,
Vernacular Section,
Madurai Bench of Madras High Court,
Madurai.



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R.VIJAYAKUMAR ,J.

Rmk

Order made in
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