



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.02.2023

CORAM

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THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR

Tr.C.M.P(MD)No.728 of 2022

and

C.M.P(MD)No.11605 of 2022

R.Ishwarya Lakshmi

... Petitioner/ Respondent

Vs.

Sajeen Vinoth

... Respondent/ Petitioner

PRAYER : Transfer Civil Miscellaneous Petition is filed under Section 24 of the Code of Civil Procedure, to withdraw the H.M.O.P.No.267 of 2022 on the file of the Subordinate Court, Tambaram and transfer the same to the file of the Family Court, Madurai and tried along with H.M.O.P.No.765 of 2022 on the file of the Family Court, Madurai.

For Petitioner : Mr.S.A.Ajmal Khan

For Respondent : No appearance

ORDER

The present transfer civil miscellaneous Petition has been filed by the wife seeking to transfer H.M.O.P.No.267 of 2022 pending on the file of the Subordinate Court, Tambaram, to be transferred to Family Court, Madurai, to be tried along with H.M.O.P.No.765 of 2022.

2. According to the learned counsel appearing for the petitioner/wife, the petitioner had filed H.M.O.P.No.765 of 2022 before the Family Court, Madurai, for restitution of conjugal rights and thereafter, the husband has filed H.M.O.P.No.267 of 2022 before the Subordinate Court, Tambaram, for divorce. Further, she is residing at Madurai along with her parents and a six months old child.

3. Though the respondent/husband has been served, there is no appearance either in person or through counsel on his behalf.

4. Considering the aforesaid facts, H.M.O.P.No.267 of 2022 pending on the file of the Subordinate Court, Tambaram, is hereby withdrawn and transferred to Family Court, Madurai, to be tried along with H.M.O.P.No.765 of 2022.



Tr.C.M.P(MD)



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5. With the above observation, the Transfer Civil Miscellaneous Petition is allowed. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (AD II)

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// True Copy //

/03/2023

Sub Assistant Registrar(CS)

Rmk

To

1.The Judge, Family Court, Madurai.

2.The Subordinate Judge, Tambaram.

+1 CC to M/s.S.A.AJMAL KHAN, Advocate (SR-10018[F] dated 22/02/2023
Tr.C.M.P(MD)No.728 of 2022
21.02.2023

MGJ(13.03.2023) 2P 4C