



Tr.C.M.P(MD).No.683 of 2023

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 10.11.2023

CORAM

THE HONOURABLE MR.JUSTICE K.MURALI SHANKAR

Tr.C.M.P (MD).No.683 of 2023
and
C.M.P.(MD)No.15230 of 2023

Gopinathan : Petitioner

Vs.

Kannika : Respondent

PRAYER: Transfer Civil Miscellaneous Petition is filed under Section 24 r/w 151 of Civil Procedure Code, to withdraw the case in H.M.O.P.No.104 of 2022 on the file of the Sub Court at Vedasanthur and to transfer the said case to the Family Court, Dindigul to try along with H.M.O.P.No.419 of 2022.

For Petitioners : Mr.V.Regunathan

ORDER

The Civil Revision Petition has been filed seeking orders to withdraw the case in H.M.O.P.No.104 of 2022 on the file of the Sub Court at Vedasanthur and to transfer the said case to the Family Court, Dindigul to try along with H.M.O.P.No.419 of 2022.



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2. The learned counsel for the petitioner would submit that the respondent has filed a petition in H.M.O.P.No.419 of 2022 for restitution of conjugal rights and the same is pending on the file of the Family Court, Dindigul; that the petitioner has filed a petition in H.M.O.P.No.104 of 2022, seeking divorce and the same is pending on the file of the Sub Court, Vedasanthur and that the present petition came to be filed seeking orders to transfer the petition pending before the Sub Court, Vedasanthur to the Family Court, Dindigul, for trying the matters jointly.

3. Considering the submission made by the learned counsel for the petitioner and also taking note of the fact that the petitioner is seeking transfer of his case, for trying with the case filed by the wife, pending before the Family Court, Dindigul, this Court is inclined to allow the petition.

4. In the result, the Transfer Civil Miscellaneous Petition is allowed and the case in H.M.O.P.No.104 of 2022 on the file of the Sub Court, Vedasanthur, is hereby ordered to be withdrawn and transferred to the file of the Family Court, Dindigul. The learned Subordinate Judge, Vedasanthur, is directed to send the records relating to the case in H.M.O.P.No.104 of 2022 to the Family



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Court, Dindigul within a period of 15 days from the date of receipt of copy of this order and on receipt of the same, the learned Judge, Family Court, Dindigul, is directed to take the same on file and proceed in accordance with law. No costs. Consequently, connected Miscellaneous Petition is closed.

10.11.2023

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

To

- 1.The Judge, Sub Court,
Vedasanthur.
- 2.The Judge, Family Court,
Dindigul.
- 3.The Section Officer,
VR Section,
Madurai Bench of Madras High Court,
Madurai.



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K.MURALI SHANKAR, J.

DAS

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