



Tr.CM.P.No.484 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.04.2024

CORAM:

THE HONOURABLE MR.JUSTICE V.LAKSHMINARAYANAN

Tr.C.M.P.No.484 of 2023

and

C.M.P.No.11670 of 2023

Ananthajothi

.. Petitioner

Vs.

Solomon

.. Respondent

Prayer: This Transfer Civil Miscellaneous Petition is filed under Section 24 of the Civil Procedure Code to withdraw I.D.O.P.No.67 of 2020 before the Family Court at Dindigul and transfer the same to be tried on the file of the Addl. Principal Family Court at Coimbatore.

For Petitioner : Mr.S.Ramesh

For Respondent : Mr.Charles Kamalesh M.Appaji



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ORDER

The present petition seeks to transfer I.D.O.P.No.67 of 2020 pending on the file of the Family Court at Dindigul to the file of Additional Family Court at Coimbatore.

2. I.D.O.P.No.67 of 2020 has been initiated by the respondent / husband seeking divorce under the Indian Divorce Act. The Wife also moved the Family Court at Coimbatore in O.P.No.1174 of 2020. One being the proceeding for divorce and the other being the proceeding for restitution of conjugal rights.

3. Apart from the unity in the subject matter of litigation, the interest of the wife gains precedence as she is a permanent resident of Coimbatore. With the wife being a permanent resident of Coimbatore, I am inclined to withdraw I.D.O.P.No.67 of 2020 from the file of the Family Court at Dindigul and transfer the same to the file of the Additional Principal Family Court at Coimbatore to be heard and disposed of along with O.P.No.1174 of 2020.

4. The husband need not travel for every hearing to the Additional



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Principal Family Court at Coimbatore. His presence shall be insisted upon only for hearings where his appearance is indispensable. For all other hearings including procedural hearing, he may appear through a counsel.

5. With the above directions, this Transfer Civil Miscellaneous Petition is allowed. No costs. Connected miscellaneous petition is closed.

17.04.2024

Index : Yes / No
Neutral Citation : Yes / No
Speaking Order / Non-speaking order
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V.LAKSHMINARAYANAN, J.

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To

1. The Additional Principal Family Court,
Coimbatore.
2. The Family Court,
Dindigul

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