



Tr.C.M.P.(MD).No.12 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.02.2024

CORAM

THE HON'BLE MR.JUSTICE G.ILANGO VAN

Tr.C.M.P.(MD).No.12 of 2024
and C.M.P.(MD).No.218 of 2024

Dr.Vinothini Rani ... Petitioner/Respondent

Vs.

Dr.Praveen ... Respondent/Petitioner

PRAYER : Transfer Civil Miscellaneous Petition filed under Section 24 r/w 151 of the Civil Procedure Code, to withdraw the case in H.M.O.P. No.227 of 2023 on the file of the Learned Family Judge, Tirunelveli and transfer the same to the Family Judge, Madurai.

For Petitioner : Mr.K.Raja Prabakaran

For Respondent : Mr.A.Mohamed Haneef

ORDER

This Petition has been filed seeking transfer of the case in H.M.O.P. No.227 of 2023 from the file of the Learned Judge, Family Court, Tirunelveli to the file of the Judge, Family Court, Madurai.



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2.The brief facts are as follows:

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The marriage was solemnized between the parties on 11.07.2016 according to Hindu customs and rites. Due to the wedlock a female child was also born on 25.07.2019. Later, due to misunderstanding between them, the husband filed the above said H.M.O.P.No.227 of 2023 before the Family Court, Tirunelveli. In the meantime, the petitioner filed a petition before the Family Court, Madurai seeking maintenance, that is pending in M.C.No.208 of 2023. On that ground the petition has been filed seeking transfer of H.M.O.P.No.227 of 2023 from the file of the Family Court, Tirunelveli to the file of the Family Court, Madurai.

3.Now the grievance of the respondent is that even though the matter was referred to the Mediation Centre, the petitioner namely the wife tried to assault the husband not only in the presence of the Mediator himself, even before the concerned trial Court also, such an attempt was made by the wife against the husband. On that ground he made strong objection.



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4. Whatever may be, since the Maintenance case is pending before the Family Court, Madurai, the H.M.O.P.No.227 of 2023 pending before the Family Court, Tirunelveli is ordered to be transferred to the file of the Family Court, Madurai to try the case along with the M.C.No.208 of 2023. Considering the fact that both are medical professionals, their personal appearance before the Family Court, Madurai, is dispensed with subject to the requirement of their appearance by the concerned Judicial Officer.

5. With the above said directions, this petition stands allowed. No costs. Consequently, connected miscellaneous petition is closed.

29.02.2024

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

To

1. The Judge, Family Court, Tirunelveli.

2. The Judge, Family Court, Madurai.

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G.ILANGO VAN,J.

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3.The Section Officer,
E.R.Section/V.R.Section,
Madurai Bench of Madras High Court, Madurai.

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