



Tr. C.M.P. (MD) No.14 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : **22.04.2024**

C O R A M

THE HONOURABLE MR.JUSTICE P.D.AUDIKEVALU

Tr. C.M.P. (MD) No. 14 of 2024
and
C.M.P. (MD) No. 226 of 2024

A.Kavitha

... Petitioner

Vs.

V.Prathab

... Respondent

PRAYER: Petition filed under Section 24 of the Civil Procedure Code, 1908, to withdraw the case in H.M.O.P. No. 18 of 2023 on the file of the Additional Sub-Court, Thanjavur and transfer the same to the Principal Subordinate Court, Trichy.

For Petitioner : Mr. N.Ananda Kumar

For Respondent : Mr. K.Sivabalan



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ORDER

This application invoking Section 24 of the Code of Civil Procedure, 1908, has been filed relating to a matrimonial dispute between the parties. The Husband, *viz.*, J.Jaasper Roy, has filed H.M.O.P. No. 18 of 2023 seeking for Restitution of Conjugal Rights before Additional Sub-Court, Thanjavur, which is sought to be transferred by the Wife to the Principal Subordinate Court, Trichy.

2. Heard Mr. N.Ananda Kumar, Learned Counsel for the Wife, and Mr. K.Sivabalan, Learned Counsel appearing for the Husband, and perused the materials placed on record, apart from the pleadings of the parties.

3. As it is represented that an effort could be made to amicably resolve the disputes between the parties through mediation at District Court, Tiruchirappalli, the Additional Sub-Court, Thanjavur, shall send photocopies of the relevant papers to the District Court, Tiruchirappalli, immediately. The



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District Judge, Tiruchirappalli shall nominate a Trained Mediator, and the parties along with their respective Counsel shall appear before the Mediation Centre at 11.00 a.m. on 29.04.2024 and on the subsequent dates to which it is adjourned. If required, the Mediator may include any other incidental or connected disputes between the parties to be taken up for consideration and may also invite other family members of the parties for such purpose. It shall be ensured that there is day-to-day sittings showing progress of the case and the report of its outcome shall be sent by 03.06.2024 to the Additional Sub-Court, Thanjavur, which shall keep further proceedings of the matter in abeyance till then, and take up the case on 05.06.2024 to determine the next course of action to be followed in accordance with law.

4. In the aforesaid circumstances, Learned Counsel appearing for the Petitioner seeks permission of this Court to withdraw this Transfer Petition reserving the rights of the Petitioner to file fresh Transfer Petition, if such necessity arises later, and he has made an endorsement to that effect in the Court record.



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5. In the result, the Transfer Civil Miscellaneous Petition is dismissed as withdrawn with the aforesaid clarifications. No costs. Consequently, connected Miscellaneous Petition is closed.

22.04.2024

Index : Yes/No
NCC : Yes/No
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To

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1. The Additional Sub-Court, Thanjavur.
2. The Principal Subordinate Court, Trichy.
3. The District Court, Tiruchirappalli.

Copy to:-

1. Ms. A. Kavitha,
W/o. Prathab,
D/o. Arunachalam,
No. 6/18, Mariamman Kovil Street,
Natarajapuram,
Thiruvarambur Taluk,
Trichy District.
2. Mr. V. Prathab,
S/o. Veeramani,
No. 11, Periya Street,
Melathirupathuruthi,
Thiruvaiyaru Taluk,
Thanjavur District.



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P.D.AUDIKESAVALU,J.

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