



Tr.C.M.P.(MD).No.71 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.02.2024

CORAM

THE HON'BLE MR.JUSTICE G.ILANGO VAN

Tr.C.M.P.(MD).No.71 of 2023
and C.M.P.(MD).No.1620 of 2023

K.Abarnaarai ... Petitioner/Respondent

Vs.

T.G.Rajguru ... Respondent/Petitioner

PRAYER : Transfer Civil Miscellaneous Petition filed under Section 24 of the Civil Procedure Code, to withdraw and transfer the case in H.M.O.P.No.5476 of 2022, pending on the file of the II Additional Family Court, Chennai, to the Principal Sub Court, Trichy and conduct the Trial along with H.M.O.P.No.260 of 2021, on the file of the Principal Sub Court, Trichy.

For Petitioner : Mr.P.Ganapathi Subramanian

For Respondent : Mr.C.Raja

ORDER

This petition has been filed to withdraw and transfer the case in H.M.O.P.No.5476 of 2022, pending on the file of the II Additional



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Family Court, Chennai, to the Principal Sub Court, Trichy and conduct the Trial along with H.M.O.P.No.260 of 2021, on the file of the Principal Sub Court, Trichy.

2.The facts in brief:

The marriage between the parties was solemnized on 16.07.2021. At the time of marriage the parents of the petitioner gave 60 sovereigns of gold jewels and house hold articles worth about Rs.1 lakh. Thereafter, also the respondent demanded more dowry from the petitioner. Due to which there was misunderstanding between the parties. Hence, the respondent filed H.M.O.P.No.5476 of 2022 before the II Additional Family Court, Chennai to dissolve the marriage. Before that the petitioner filed H.M.O.P.No.260 of 2021 before the Principal Sub Judge, Trichy for restitution of conjugal rights. Since the petitioner is facing difficulty to attend every hearing at Chennai, she seeks transfer of the same to the Principal Sub Court, Trichy.

3.Heard both sides.



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4.The learned counsel for the respondent would submit that the respondent has no objection to transfer the case.

5.In view of the submissions made by the learned counsel for the respondent and considering the facts and circumstances of the case, the H.M.O.P.No.5476 of 2022 filed by the respondent on the file of the II Additional Principal Judge, Family Court, Chennai, is ordered to be withdrawn and transferred to the Principal Sub Court, Trichy, to try along with the H.M.O.P.NO.260 of 2021 filed by the petitioner.

6.Accordingly, this transfer civil miscellaneous petition is allowed.

No costs. Consequently, connected miscellaneous petition is closed.

21.02.2024

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

To

- 1.The II Additional Principal Judge, Family Court, Chennai.
- 2.The Principal Subordinate Judge, Trichy.
- 3.The Section Officer, E.R.Section/V.R.Section,
Madurai Bench of Madras High Court, Madurai.

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G.ILANGO VAN,J.

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