



Tr. C.M.P. (MD) No.164 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : **22.04.2023**

C O R A M

THE HONOURABLE MR.JUSTICE P.D.AUDIKESAVALU

Tr. C.M.P. (MD) No. 164 of 2024
and
C.M.P. (MD) No. 3401 of 2024

P.Vishwanathan

... Petitioner

Vs.

1.D.Deivamani
2.V.Prajan (minor)

... Respondents

(Minor 2nd respondent represented through
her mother, first respondent herein)

PRAYER: Petition filed under Section 24 of the Civil Procedure Code, 1908,
to withdraw the case in M.C. No. 16 of 2023 on the file of the Judicial
Magistrate Court, Vadipatti, Madurai District and transfer the same to the Sub
Court, Ramanathapuram or any other competent Court.

For Petitioner : Mr. I.Pinaygash

For Respondents : Mr. V.Pandiyan



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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 Wife, *viz.*, D.Deivamani, has filed M.C. No. 16 of 2023 seeking for maintenance from her Husband, *viz.*, P.Vishwanathan, in the Judicial Magistrate Court, Vadipatti, Madurai, which is sought to be transferred by the Husband to the Sub-Court, Ramanathapuram.

2. Heard Mr. I.Pinaygash, Learned Counsel for the Husband, and Mr. V.Pandiyar, Learned Counsel appearing for the Wife, 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, the Judicial Magistrate Court, Vadipatti, Madurai shall send photocopies of the relevant papers to the Mediation and Conciliation Centre attached to this Court immediately. The



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Officer-in-charge of the Mediation Centre 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 Judicial Magistrate Court, Vadipatti, Madurai, 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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In the result, the Transfer Civil Miscellaneous Petition is dismissed as withdrawn with the aforesaid clarifications. No costs.

22.04.2024

Index : Yes/No

NCC : Yes/No

pal/sm

To

1. The Judicial Magistrate Court,
Vadipatti, Madurai District.
2. The Sub Court,
Ramanathapuram.

Copy to:-

- 1.P.Vishwanathan
No.4/2, Pallavarayanendhal Village,
Nainarkovil Post, Paramakudi Taluk,
Ramanathapuram District, now residing at
Kuppanvalasai Village, Sathankulam Post,
Ramanathapuram Taluk, Ramanathapuram District.
- 2.Mrs.D.Deivamani
No.34/57, T.P.Sangankottai Street,
Paravai, Madurai North Taluk,
Madurai District.

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P.D.AUDIKESAVALU,J.

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