



TR CMP(MD)Nos.391, 392 and 393 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 26.07.2024

CORAM:

THE HONOURABLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

TR CMP(MD)Nos.391, 392 and 393 of 2024

and

C.M.P.(MD)Nos.8564, 8568 and 8572 of 2024

1.Pandiselvi

2.K.Ajai

3.Minor Vijaya Darshini

Rep. by mother & Guardian

Pandiselvi/1st petitioner

... Petitioners in all petitions

vs.

A.Kannan

... Respondent in all petitions

Prayer in TR.C.M.P.(MD)No.391 of 2024:- Transfer Civil Miscellaneous Petition filed under Section 24 of C.P.C., to withdraw the case in HMOP No.112 of 2018 on the file of the learned Principal Sub Court, Dindigul and transfer the same to the file of the Family Court, Madurai.

Prayer in TR.C.M.P.(MD)No.392 of 2024:- Transfer Civil Miscellaneous Petition filed under Section 24 of C.P.C., to withdraw the case in GWOP No.7 of 2021 on the file of the learned Principal



TR CMP(MD)Nos.391, 392 and 393 of 2024

District Judge, Dindigul and transfer the same to the file of the Family Court, Madurai.

Prayer in TR.C.M.P.(MD)No.393 of 2024:- Transfer Civil Miscellaneous Petition filed under Section 24 of C.P.C., to withdraw the case in M.C.No.10 of 2023 on the file of the learned Judicial Magistrate, Madurai and transfer the same to the file of the Family Court, Madurai.

In all petitions:

For Petitioners : Mr.K.Appadurai

For Respondent : Mr.S.Sankar

COMMON ORDER

All these petitions are filed by the petitioner/wife to transfer the cases between the same parties, namely, the guardian original petition in GWOP No.7 of 2021 on the file of the learned Principal District Judge, Dindigul; maintenance case in M.C.No.10 of 2023, which is pending on the file of the learned Judicial Magistrate, Madurai; and HMOP No.112 of 2018, which is pending on the file of the learned Principal Sub Court, Dindigul.



TR CMP(MD)Nos.391, 392 and 393 of 2024

2.It can be seen that the parties are in different Courts.

Though it is denied and contested by the learned counsel for the respondent/husband, the pleading of the wife is that now she is residing at Periyakulam, Theni District within the jurisdiction of the Family Court, Theni. The Family Court, Theni can try all the three petitions together. Therefore, it will be in the best interest of the parties to transfer these cases to the file of the Family Court, Theni.

3.In view thereof, all the three Transfer Civil Miscellaneous Petitions are allowed and the cases in GWOP No.7 of 2021 pending on the file of the learned Principal District Judge, Dindigul; M.C.No. 10 of 2023 [It is stated that it is in the stayed where the petitioner is set *ex parte* and he has filed a petition to set aside the *ex parte* order] on the file of the learned Judicial Magistrate, Madurai; and HMOP No.112 of 2018, pending on the file of the learned Principal Sub Court, Dindigul, are all withdrawn and transferred to the file of the Family Court, Theni, to be tried together.



TR CMP(MD)Nos.391, 392 and 393 of 2024

WEB COPY

No costs. Consequently, connected miscellaneous petitions are closed.

26.07.2024

NCC : Yes / No
sji

To

- 1.The Principal District Judge, Dindigul.
- 2.The Judicial Magistrate, Madurai.
- 3.The Principal Sub Court, Dindigul.
- 4.The Family Court, Theni.



WEB COPY



TR CMP(MD)Nos.391, 392 and 393 of 2024

D.BHARATHA CHAKRAVARTHY, J.

sjj

TR CMP(MD)Nos.391, 392 and 393 of 2024
and
C.M.P.(MD)Nos.8564, 8568 and 8572 of 2024

26.07.2024