



Tr. C.M.P. (MD) No.250 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.AUDIKESSAVU

Tr. C.M.P. (MD) No. 250 of 2024
and
C.M.P. (MD) No. 5863 of 2024

Gopinathan

... Petitioner

Vs.

1.Abinaya

2.Balasubramanian

3.Santhi

... Respondents

PRAYER: Petition filed under Section 24 of the Civil Procedure Code, 1908, to withdraw the case on the file of the Judicial Magistrate No.I, Kumbakonam in D.V.C. No. 17 of 2023 and transfer the same to the Judicial Magistrate Court, Thanjavur for trial.

For Petitioner

: Mr. V.Chandrapandi



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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.*, Abinaya, has filed D.V.C. No. 17 of 2023 raising complaints against the family of the Husband, *viz.*, Gopinathan, which is sought to be transferred by the Husband to the Judicial Magistrate Court, Thanjavur.

2. Heard Mr. V.Chandrapandi, Learned Counsel 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, Thanjavur, the Judicial Magistrate No.I, Kumbakonam, shall send photocopies of the relevant papers to the District Court, Thanjavur, immediately. The District Judge, Thanjavur shall nominate a Trained



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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 No.I, Kumbakonam, 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 clarification. No costs. Consequently, connected Miscellaneous Petition is closed.

22.04.2024

Index : Yes/No
NCC : Yes/No
sm



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To

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1. The Judicial Magistrate No.I, Kumbakonam.
2. The District Court, Tanjore.

Copy to:-

- 1.Mr.Gopinathan,
S/o.Balasubramanian,
Plot No.2, Ganesan Colony,
Shanmuga Nagar,
Chitilapakkam Main Road,
Chennai – 64.
- 2.Abinaya,
W/o.Gopinathan,
D/o.S.Veerapradhaban,
No.18/33, Ellaiya Street,
Kumbakonam Taluk,
Thanjavur District.
- 3.Balasubramanian,
S/o.Appadurai,
Plot No.2, Ganesan Colony,
Shanmuga Nagar,
Chitilapakkam Main Road,
Chennai – 64.
- 4.Santhi,
W/o.Balasubramanian,
Plot No.2, Ganesan Colony,
Shanmuga Nagar,
Chitilapakkam Main Road,
Chennai – 64.



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P.D.AUDIKESAVALU,J.

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