



Tr. C.M.P. (MD) No.249 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : **29.04.2024**

C O R A M

THE HONOURABLE MR.JUSTICE P.D.AUDIKEAVALU

Tr. C.M.P. (MD) No. 249 of 2023
and
C.M.P. (MD) No. 5592 of 2023

N.Priyanka

... Petitioner

Vs.

M.Lakshmi Prasath

... Respondent

PRAYER: Petition filed under Section 24 of the Civil Procedure Code, 1908, to withdraw the case in H.M.O.P. No. 478 of 2022 on the file of the Family Court, Madurai and to transfer the said case to the Family Court, Salem.

For Petitioner : Mr. V.Vakeeswaran

For Respondent : Mr. S.Thalaimutharasu



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ORDER

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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., M.Lakshmi Prasath, has filed H.M.O.P. No. 478 of 2022 seeking divorce from the Wife, viz., N.Priyanka before Family Court, Madurai, which is sought to be transferred by the Wife to the Family Court, Salem.

2. Heard Mr. V.Vakeeswaran, Learned Counsel for the Wife, and Mr. S.Thalaimutharasu, Learned Counsel appearing for the Husband, and perused the materials placed on record, apart from the pleadings of the parties.

3. It is accepted by Learned Counsel appearing for both sides that as the parties are residing at different places in Germany as on date, no useful purpose would be served in transferring the case from the Family Court, Madurai to the Family Court, Salem. However, in order to expedite the disposal of the matter, it would be appropriate to conduct the proceedings



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through video-conferencing facilities at Family Court, Madurai. Learned Counsel for both sides have also made a joint endorsement to that effect in the Court record.

4. As it is represented that an effort could be made to amicably resolve the disputes between the parties through mediation at Family Court, Madurai, through video conferencing facility, the Family Court, Madurai, shall conduct mediation through video conferencing facility between the parties. The parties shall appear before the Mediation Centre through video conferencing facility on the date of mediation which will be intimated by the Family Court, Madurai, 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 atleast one effective hearing every month showing progress of the case. The report of the outcome of the Mediation shall be filed before the Family Court, Madurai.

5. If the Wife files Counter in H.M.O.P. No.478 of 2022 before the



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Family Court, Madurai, on 05.06.2024, the conduct of further proceedings in that matter shall be kept in abeyance until further orders from this Court.

6. In the result, the Transfer Civil Miscellaneous Petition is disposed on the aforesaid terms. No costs. Consequently, connected Miscellaneous Petition is closed.

29.04.2024

Index : Yes/No
NCC : Yes/No
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To

1. The Family Court,
Madurai.

Copy to:-

1. Mr. N. Priyanka,
W/o. Lakshmi Prasath & D/o. M. Natarajan,
D.No. 26-A/22, Pari Street, Mahendrapuri,
Maharaja Circle, Salem – 636 008.

2. M. Lakshmi Prasath, S/o. Muniandi,
D.No. 3/146, 5th Street, Pandi Nagar,
Surveyor Colony, Madurai – 625 007.



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P.D.AUDIKESAVALU,J.

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