



TR.C.M.P. (MD) No. 326 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 02.07.2024

CORAM

THE HON'BLE MR. JUSTICE D.BHARATHA CHAKRAVARTHY

TR.C.M.P. (MD) No. 326 of 2024
and
C.M.P. (MD) No. 7217 of 2024

Shobana

... Petitioner/Respondent

-VS-

Sriram

... Respondent/Petitioner

Prayer:- Transfer Civil Miscellaneous Petition filed under Section 24 of the Civil Procedure Code, 1908, to withdraw the H.M.O.P.No.54 of 2024 pending on the file of the learned Family Court, Pudukottai and to transfer the same to the file of the learned Sub-Court, Thuraiyur, Trichy District and to try along with other case in H.M.O.P.No.50 of 2024 on the file of the learned Sub-Court, Thuraiyur, Trichy District.

For Petitioner : Mr.Jegadeesh Pandian

For Respondent : Mr.S.Sankara Subramanian



TR.C.M.P. (MD) No. 326 of 2024

WEB COPY

ORDER

This Transfer Civil Miscellaneous Petition is filed by the petitioner/wife to withdraw the H.M.O.P.No.54 of 2024 filed by the respondent/husband with a prayer for restitution of conjugal rights from the file of the Family Court, Pudukottai and to the file of the Sub-Court, Thuraiyur, Trichy District, since she has already filed H.M.O.P.No.50 of 2024 for divorce.

2. When the matter came up for hearing, the learned Counsel for the respondent would submit that even though the native of the petitioner/wife is Thuraiyur, she is presently working at Trichy and it will be convenient for both the parties if both the matters are transferred to Trichy. Even though the learned Counsel for the petitioner would oppose such a prayer, he is not in position to deny the fact that the wife is at present employed only in Trichy.

3. In that view of the matter, let both matters be transferred to the file of the Family Court, Trichy and can be disposed of by joint trial which will be convenient for both the parties. Therefore, the present Transfer Civil Miscellaneous Petition is ordered on the following terms:-



WEB COPY



TR.C.M.P. (MD) No. 326 of 2024

(i) The H.M.O.P.No.54 of 2024 is withdrawn from the file of the Family Court, Pudukottai and transferred to the Family Court at Trichy;

(ii) The H.M.O.P.No.50 of 2024 is withdrawn from the file of the Sub-Court, Thuraiyur and transferred to the Family Court, Trichy;

(iii) Let both the matters in H.M.O.P.No.54 of 2024 and H.M.O.P.No.50 of 2024 be tried together and disposed of as expeditiously as possible.

Consequently, the connected Miscellaneous Petition is closed.

02.07.2024

Index : No
Internet : Yes
PKN

To
The Section Officer,
Vernacular Records Section,
Madurai Bench of Madras High Court, Madurai.



WEB COPY



TR.C.M.P. (MD) No. 326 of 2024

D.BHARATHA CHAKRAVARTHY, J.

PKN

TR.C.M.P. (MD) No. 326 of 2024

02.07.2024