



Tr.C.M.P.(MD).No.291 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.03.2024

CORAM

THE HON'BLE MR.JUSTICE G.ILANGO VAN

Tr.C.M.P.(MD).No.291 of 2023
and C.M.P.(MD).No.6668 of 2023

Ish @ Vijaiswariya

... Petitioner

Vs.

Selvaraj

... Respondent

PRAYER : Transfer Civil Miscellaneous Petition filed under Section 24 of the Civil Procedure Code, to withdraw and transfer the HMOP.No.70 of 2022 on the file of the Principal Sub Judge, Thiruvarur to the Family Court, Tiruchirappalli.

For Petitioner : Mr.S.M.Mohan Gandhi

For Respondent : No Appearance

ORDER

This petition has been filed to withdraw and transfer the HMOP.No.70 of 2022 on the file of the Principal Sub Judge, Thiruvarur to the Family Court, Tiruchirappalli.



Tr.C.M.P.(MD).No.291 of 2023

2.The facts in brief:

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The marriage was solemnized between the parties on 15.09.2017. Out of the above said marriage they were blessed with two children. Thereafter due to misunderstanding the petitioner and the respondent were separated from each other. Hence, the respondent filed the above said HMOP proceedings seeking divorce on the file of Sub Court, Thiruvarur. In the meantime, the petitioner filed HMOP.No.118 of 2023 seeking restitution of conjugal rights before the Family Court, Tiruchirappalli. To try the case jointly, the petitioner seeks transfer of the petitioner filed by the respondent.

3.Heard the learned counsel for the petitioner. Even though the respondent was served with notice, none appears on behalf of him. His name was also printed in the cause list.

4.Considering the facts and circumstances of the case and considering the convenience of the wife, the H.M.O.P.No.70 of 2022 filed by the respondent on the file of the Principal Subordinate Judge, Thiruvarur, is ordered to be withdrawn and transferred to the Family



Tr.C.M.P.(MD).No.291 of 2023

Court, Tiruchirappalli to try the case along with H.M.O.P.No.118 of 2023.

5.Accordingly, this transfer civil miscellaneous petition is allowed.

No costs. Consequently, connected miscellaneous petition is closed.

28.03.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
TM

To

- 1.The Principal Subordinate Judge, Thiruvarur.
- 2.The Judge, Family Court, Tiruchirappalli.
- 3.The Section Officer,
E.R.Section/V.R.Section,
Madurai Bench of Madras High Court, Madurai.



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Tr.C.M.P.(MD).No.291 of 2023

G.ILANGOVAN,J.

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Tr.C.M.P.(MD).No.291 of 2023

28.03.2024