



TR.CMP(MD).No. 420 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 05.08.2024

CORAM :

THE HON'BLE MR JUSTICE P. VADAMALAI

TR.CMP(MD).No.420 of 2024 and
CMP(MD).No. 9205 of 2024

1.Saritha
2.Thavithuraj
3.Prema

... Petitioners

Vs.

K.Duraisingam

... Respondent

PRAYER:- Petition filed under Section 24 C.P.C., to withdraw the case in HMOP.No.34 of 2024 on the file of the Sub Court, Paramakudi and transfer the same to the file of the Family Court, Tirunelveli District.

For Petitioner : Mr.K.Sivabalan

For Respondent : No appearance

ORDER

This Transfer Civil Miscellaneous Petition is filed seeking to withdraw the case in HMOP.No.34 of 2024 on the file of the Sub Court, Paramakudi and transfer the same to the file of the Family Court,



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Tirunelveli.

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2. The case of the petitioners is that the respondent herein has alleged that the first petitioner herein has married him on 28.07.2023 at Arulmigu Sri Sentilandavar Thirukovil at Ramanathapuram District, but, the same was denied by the petitioners. The respondent has filed a petition in HMOP.No.34 of 2024 on the file of the Subordinate Court, Paramakudi seeking restitution of conjugal rights. In such circumstances, the petitioners herein have filed the present petition seeking to withdraw the case in HMOP.No.34 of 2024 on the file of the Sub Court, Paramakudi and transfer the same to the file of the Family Court, Tirunelveli.

3. The name of the respondent has been printed in the cause list. Even though the notice was served upon the respondent, he has not chosen to appear before this Court either in person or through counsel. So after hearing the learned Counsel for the petitioners, this order is passed.

4. Considering the overall facts and circumstances of the case and



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being satisfied with the reasons stated in the affidavit filed in support of this petition, this Court is inclined to allow this petition.

5. Accordingly, the Transfer CMP is allowed and the petition in HMOP.No.34 of 2024 pending on the file of the Sub Court, Paramakudi is hereby withdrawn and transferred to the file of the Family Court, Tirunelveli to be heard and disposed of in accordance with law. The learned Subordinate Judge, Paramakudi is directed to transmit the entire records pertaining to the case in HMOP.No.34 of 2024 to the transferee Court, within a period of two weeks from the date of receipt of a copy of this order. No costs. Consequently, connected Miscellaneous Petition is also closed.

05.08.2024

Internet : Yes / No

Index : Yes / No

trp

To

1. The Sub Court, Paramakudi.
2. The Family Court, Tirunelveli District.



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P. VADAMALAI, J.

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