



Tr.C.M.P.(MD).No.416 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.416 of 2023
and C.M.P.(MD).No.8671 of 2023

J.Ezhaprabha

... Petitioner

Vs.

A.Venkatesh

... Respondent

PRAYER : Transfer Civil Miscellaneous Petition filed under Section 24 of the Civil Procedure Code, to withdraw the HMOP.No.351 of 2023 pending on the file of the Family Court, Tiruchirappalli and transfer the same to the Family Court, Coimbatore for disposal according to law.

For Petitioner : Mr.R.S.Sivaram

For Respondent : Mr.B.Janarth Kumar

ORDER

This petition has been filed withdraw the HMOP.No.351 of 2023 pending on the file of the Family Court, Tiruchirappalli and transfer the same to the Family Court, Coimbatore for disposal according to law.



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2.The facts in brief:

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The marriage was solemnized between the parties on 28.08.2020. At the time of marriage, the petitioner's parents gave sufficient sreeethanas to the petitioner. But, they demanded more dowry from the petitioner. Hence, there was dispute arose between them. The respondent ill-treated the petitioner. Out of which they separated from each other. Thereafter, the respondent filed the above said OP seeking restitution of conjugal rights before the Subordinate Court, Tiruchirappalli. The petitioner is now residing at Coimbatore. Hence, he is unable to attend the above said proceedings. Hence, this petition.

3.Heard both sides.

4.The learned counsel for the respondent would submit that the respondent has no objection to transfer the case. But he requests that his personal appearance before the trial Court may be dispensed with.

5.Considering the facts and circumstances of the case and in view of the submissions made by the learned counsel for the respondent the



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H.M.O.P.No.351 of 2023, filed by the respondent on the file of the Family Court, Tiruchirappalli, is ordered to be withdrawn and transferred to the Family Court, Coimbatore. The respondent can make his request for dispensing his personal appearance, before the concerned Court itself.

6. 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 Judge, Family Court, Tiruchirappalli.
2. The Judge, Family Court, Coimbatore.
3. The Section Officer,
E.R. Section/V.R. Section,
Madurai Bench of Madras High Court, Madurai.



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G.ILANGOVAN,J.

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