



Tr.C.M.P.(MD).No.509 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 12.02.2024

CORAM

THE HON'BLE MR.JUSTICE G.ILANGO VAN

Tr.C.M.P.(MD).No.509 of 2023
and C.M.P.(MD).No.11116 of 2023

Hema Rosaline

... Petitioner/Respondent

Vs.

Daniel Rajadurai

... Respondent/Petitioner

PRAYER : Transfer Civil Miscellaneous Petition filed under Section 24 of Civil Procedure Code, to withdraw I.D.O.P.No. 91 of 2023 on the file of the Principal District Court, Tirunelveli and transfer the same to the Family Court Dindigul in order to try along with I.D.O.P.No. 189 of 2023.

For Petitioner : Mr.R.R.Kannan

For Respondent : Mr.P.Selvakamatchi

ORDER

This petition has been filed to withdraw I.D.O.P.No. 91 of 2023 on the file of the Principal District Court, Tirunelveli and transfer the same



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to the Family Court Dindigul in order to try along with I.D.O.P.No. 189 of 2023.

2.The facts in brief:

The marriage was solemnized between the parties on 22.12.2014. Out of their wedlock they gave birth one male child. Thereafter, due to some misunderstanding they separated and the above said I.D.O.P. proceedings was initiated by the respondent seeking divorce, whereas, the petitioner filed I.D.O.P.No.189 of 2023 seeking restitution of conjugal rights. Since the petitioner facing difficulty to travel long distance to attend the above said proceedings at Tirunelveli, and since already a matter is pending before the Family Court, Dindigul, seeking transfer of the above said proceedings to the Family Court, Dindigul, this petition has been filed.

3.Heard the learned counsel on either side.

4.The learned counsel for the respondent would submit that the respondent has no objection to entertain this petition.



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5.Considering the facts and circumstances of the case and considering the convenience of the wife, the I.D.O.P.No.91 of 2023 filed by the respondent on the file of the Principal District Court, Tirunelveli, is ordered to be withdrawn and transferred to the Family Court, Dindigul to try the same along with I.D.O.P.No.189 of 2023.

6.Accordingly, this transfer civil miscellaneous petition is allowed.
Consequently, connected miscellaneous petition is closed.

12.02.2024

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

To

- 1.The Principal District Judge, Tirunelveli.
- 2.The Judge, Family Court, Dindigul.
- 3.The Section Officer,
E.R.Section/V.R.Section,
Madurai Bench of Madras High Court, Madurai.

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G.ILANGO VAN,J.

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