



Tr.C.M.P.(MD).Nos.656 and 658 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 09.02.2024

CORAM

THE HON'BLE MR.JUSTICE G.ILANGO VAN

Tr.C.M.P.(MD).Nos.656 and 658 of 2022
and C.M.P.(MD).Nos.10443 and 10446 of 2022

Kavitha

... Petitioner in both petitions

Vs.

D.Bharanitharan

... Respondent in both petitions

COMMON PRAYER : Transfer Civil Miscellaneous Petitions filed under Section 24 of Civil Procedure Code, to withdraw H.M.O.P.NO. 213 of 2022 on the file of the Family Court, Tiruchirappalli and H.M.O.P.NO.422 of 2017 on the file of the Principal Subordinate Judge, Tiruchirappalli and transfer both the cases to the Principal Subordinate Court, Madurai.

For Petitioner : Mr.S.Jayavel in both petitions

For Respondent : Mr.B.Jenath Ahamed @ B.Janarth Kumar
in Tr.C.M.P.(MD).No.656 of 2022

: No Appearance
in Tr.C.M.P.(MD).No.658 of 2022



Tr.C.M.P.(MD).Nos.656 and 658 of 2022

ORDER

WEB COPY

These petitions have been filed to withdraw the H.M.O.P.NO.213 of 2022 on the file of the Family Court, Tiruchirappalli and H.M.O.P.NO.422 of 2017 on the file of the Principal Subordinate Judge, Tiruchirappalli and transfer both the cases to the Principal Subordinate Court, Madurai.

2.The facts in brief:

The marriage was solemnized between the parties on 11.06.2009. Thereafter, there is matrimonial dispute arose between the parties. Out of which this petitioner filed H.M.O.P.NO.422 of 2017 seeking divorce on the file of the Principal Subordinate Judge, Tiruchirappalli, whereas the husband filed H.M.O.P.NO.213 of 2022 before the Judge, Family Court, Tiruchirappalli. Though the petitions have been filed at Tiruchirappalli, now the petitioner residing at Vadipatti, Madurai District and now she is suffering from arthritis. Hence, this petition has been filed seeking transfer.

3.Heard both sides.



Tr.C.M.P.(MD).Nos.656 and 658 of 2022

4.The learned counsel for the respondent would submit that though the respondent has no objection to entertain this petition, he seeks direction to the transferee Court to expedite the trial process and dispose of the same within a stipulated time.

5.Considering the facts and circumstances of the case, both the H.M.O.P.NO.213 of 2022 on the file of the Family Court, Tiruchirappalli and H.M.O.P.NO.422 of 2017 on the file of the Principal Subordinate Judge, Tiruchirappalli are ordered to be withdrawn and transferred both the cases to the Family Court, Madurai.

6.Considering the oldness of the matter the learned Family Judge, Madurai, shall expedite the trial process in this case and dispose of the same as expeditiously as possible.

7.Accordingly, these transfer miscellaneous petitions are allowed.
No costs. Consequently, connected miscellaneous petitions are closed.

09.02.2024

NCC : Yes / No
Index : Yes / No

3/5



Tr.C.M.P.(MD).Nos.656 and 658 of 2022

Internet : Yes / No

TM

To

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



WEB COPY



Tr.C.M.P.(MD).Nos.656 and 658 of 2022

G.ILANGO VAN,J.

TM

Tr.C.M.P.(MD).Nos.656 and 658 of 2022

09.02.2024