



TR CMP(MD)Nos.597 of 2023 and 98 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 03.07.2024

CORAM:

THE HONOURABLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

**TR CMP(MD)Nos.597 of 2023 and 98 of 2024
and
C.M.P.(MD)Nos.13246 of 2023 and 1871 of 2024**

TR CMP(MD)No.597 of 2023

Chittukala @ Revathy

... Petitioner/Respondent (Wife)

vs.

Manivasagam

... Respondent/ Petitioner (Husband)

Prayer:- Transfer Civil Miscellaneous Petition filed under Section 24 of C.P.C., to withdraw the HMOP No.802 of 2023 on the file of the Family Court, Madurai and transfer the same to the learned Family Court, Tiruchirappalli.

For Petitioner : Mr.N.Kamesh

For Respondent : Mr.R.Manoharan

TR CMP(MD)No.98 of 2024

Manivasagam @ Senthil

... Petitioner/Respondent

vs.



TR CMP(MD)Nos.597 of 2023 and 98 of 2024

Chittukala @ Revathy

.. Respondent/ Petitioner

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Prayer:- Transfer Civil Miscellaneous Petition filed under Section 24 of C.P.C., to withdraw the HMOP No.648 of 2023 on the file of the Family Court, Tiruchirappalli and transfer the same to the learned Family Court, Madurai.

For Petitioner : Mr.R.Manoharan

For Respondent : Mr.N.Kamesh

COMMON ORDER

These Transfer Civil Miscellaneous Petitions are made with conflicting prayers by the husband and wife in respect of the very same HMOPs and as such are taken up and disposed of together.

2.The wife, namely, Chittukala @ Revathi, has filed HMOP No.648 of 2023 on the file of the Family Court, Tiruchirappalli, seeking for dissolution of marriage. The husband, namely, Manivasagam @ Senthil, has filed HMOP No.802 of 2023 on the file of the Family Court, Madurai, for restitution of conjugal rights.



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3. Accordingly, both parties have approached this Court for a joint trial of both matters. There is no dispute as regards to the fact that both HMOPs are tried together. Both sides learned counsel would only oppose each other whether it has to be transferred to Madurai or Trichy.

4. Considering the fact that the wife, namely, Chittukala @ Revathy, is residing at Trichy along with her parents and considering the fact that there will not be any great prejudice for the respondent/husband to travel to Trichy, this Court is inclined to order these Transfer Civil Miscellaneous on the following terms:

(i) The HMOP No.802 of 2023 pending on the file of the Family Court, Madurai is withdrawn and transferred to the file of the Family Court, Tiruchirappalli to be tried together along with HMOP No.648 of 2023.

No costs. Consequently, connected miscellaneous petitions are closed.

03.07.2024

NCC : Yes / No
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TR CMP(MD)Nos.597 of 2023 and 98 of 2024

D.BHARATHA CHAKRAVARTHY, J.

sjj

To

- 1.The Family Court, Tiruchirappalli.
- 2.The Family Court, Madurai.

TR CMP(MD)Nos.597 of 2023 and 98 of 2024
and
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