



Tr. C.M.P. (MD) No.273 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 29.04.2024

C O R A M

THE HONOURABLE MR.JUSTICE P.D.AUDIKEVALU

Tr. C.M.P. (MD) No. 273 of 2023

and

C.M.P. (MD) No. 6286 of 2023

Nancy Anuka Sebasthy

... Petitioner

Vs.

Arul Vimalan

... Respondent

PRAYER:- Petition filed under Section 24 of the Civil Procedure Code, 1908, to withdraw the case in I.D.O.P. No. 619 of 2022 from the Family Court, Tiruchirapalli and transfer the same Family Court, Madurai.

For Petitioner : Ms. C.Jaya Indra Patel

For Respondent : Mr. J. Senthil Kumaraiah



Tr. C.M.P. (MD) No.273 of 2023

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ORDER

This application invoking Section 24 of the Code of Civil Procedure, 1908, has been filed relating to a matrimonial dispute between the parties. The Husband, *viz.*, Arul Vimalan, has filed I.D.O.P. No. 619 of 2022 seeking for restitution of conjugal rights with the Wife, *viz.*, Nancy Anuka Sebasty before Family Court, Tiruchirapalli, which is sought to be transferred by the Wife to the Family Court, Madurai.

2. Heard Ms. C.Jaya Indra Patel, Learned Counsel for the Wife, and Mr. J. Senthil Kumaraiah, Learned Counsel appearing for the Husband, and perused the materials placed on record, apart from the pleadings of the parties.

3. As the cases in M.C. No. 194 of 2022, Crl. M.P. No. 146 of 2023 and I.D.O.P. No. 1424 of 2023 filed by the Wife and G.W.O.P. No. 1335 of 2023 filed by the Husband are pending before the Family Court, Madurai, it is agreed by Learned Counsel for both sides that I.D.O.P. No. 619 of 2022 may



Tr. C.M.P. (MD) No.273 of 2023

also be transferred from the file of the Family Court, Tiruchirapalli to the Family Court, Madurai so that all the aforesaid cases may be taken up jointly by the Family Court, Madurai. They have also made a joint endorsement to that effect in the Court record.

4. In view of the same, the case in I.D.O.P. No. 619 of 2022 before the Family Court, Tiruchirapalli is transferred to the Family Court, Madurai to be tried along with M.C. No. 194 of 2022, CrI. M.P. No. 146 of 2023, I.D.O.P. No. 1424 of 2023 and G.W.O.P. No. 1335 of 2023, and all parties shall appear before that Court on the next date of hearing, which is fixed as 19.06.2024, for conduct of further proceedings from their respective present stages, and on the subsequent dates to which they are adjourned. It shall be ensured that there is atleast one effective hearing every month showing progress of the cases, and the Family Court, Madurai shall send monthly reports to the Registrar (Judicial) of this Court till those cases are disposed finally.



Tr. C.M.P. (MD) No.273 of 2023

In the result, the Transfer Civil Miscellaneous Petition is ordered on the aforesaid terms. Consequently, the connected Miscellaneous Petition is closed. No costs.

29.04.2024

Index : Yes/No

NCC : Yes/No

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Note: Issue order copy by 29.05.2024.

To

1. The Family Court,
Madurai.

2.The Family Court,
Trichy.

Copy to:-

1.Nancy Anuka Sebasty,
W/o.Arul Vimalan,
D.No. 4/261, Maruthapandiyar Street,
Thasildar Nagar,
North Gandhi Nagar, Madurai – 20.

2.Arul Vimalan,
S/o.Ravi,
No.136/1, Malligai Street,
Ezhil Nagar,
Tiruchirappalli.



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Tr. C.M.P. (MD) No.273 of 2023

P.D.AUDIKESAVALU,J.

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Tr. C.M.P. (MD) No. 273 of 2023

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