



Tr.C.M.P.(MD).Nos.710 and 711 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.02.2024

CORAM

THE HON'BLE MR.JUSTICE G.ILANGO VAN

Tr.C.M.P.(MD).Nos.710 and 711 of 2023
and C.M.P.(MD).Nos.15909 and 15913 of 2023

Kumaresan ... Petitioner/Respondent/Husband
in both petitions

Vs.

Aparna ... Respondent/Petitioner/Wife
in both petitions.

COMMON PRAYER : Transfer Civil Miscellaneous Petitions filed under Section 24 r/w. 151 of Civil Procedure Code, to withdraw the case in H.M.O.P.Nos.79 and 66 of 2021 on the file of the learned Sub Court, Kulithalai, Karur District and transfer the same to the learned Family Court, Trichy.

For Petitioner : Mr.V.Karuna

For Respondent : Mr.T.Pradeep
(in both cases)



Tr.C.M.P.(MD).Nos.710 and 711 of 2023

COMMON ORDER

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These petitions have been filed seeking transfer of the cases filed in H.M.O.P.Nos.79 and 66 of 2021 from the file of the learned Sub Court, Kulithalai, Karur District to the file of the learned Family Court, Trichy.

2.The brief facts are as follows:

Marriage between the parties was solemnized on 10.11.2008. Out of the wedlock they blessed with two female child. Due to some matrimonial dispute between them, the respondent left the matrimonial home along with their children and filed H.M.O.P.No.66 of 2021 before the Sub court, Kulithalai, Karur, seeking divorce. The petitioner has filed H.M.O.P.No.79 of 2021 before the same Court seeking Restitution of Conjugal Rights. In the meantime, the petitioner filed G.W.O.P.No.183 of 2021 before the learned Judge, Family Court, Karur. Then it was transferred to the Family Court, Trichy and renumbered as G.W.O.P.No.272 of 2022. The respondent also filed D.V.No.7 of 2021 on the file of the learned Judicial Magistrate No.II, Kulithalai. It was also transferred to the Judicial Magistrate Court No.II,



Tr.C.M.P.(MD).Nos.710 and 711 of 2023

Trichy, by the order of this Court. Suit was also filed by the respondent in O.S.No.431 of 2021 against the petitioner before the Principal District Court, Trichy and the same is still pending. On the above said grounds, these petitions have been filed.

3.The learned counsel for the respondent would submit that the respondent has no objection to transfer both the proceedings to the file of the Family Court, Trichy.

4.Since the respondent have no objection and also considering the fact that there are several proceedings are pending in Trichy District, the H.M.O.P.Nos.79 and 66 of 2021, pending on the file of the Sub Court, Kulithalai, is ordered to be withdrawn and transferred to the Family Court, Trichy.

5.With the above said direction, these transfer miscellaneous petitions are allowed. No costs. Consequently, connected miscellaneous petitions are closed.

01.02.2024



Tr.C.M.P.(MD).Nos.710 and 711 of 2023

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

To

- 1.The Subordinate Judge, Kulithalai, Karur.
- 2.The Judge, Family Court, Trichy.
- 3.The Section Officer,
E.R.Section/V.R.Section,
Madurai Bench of Madras High Court, Madurai.



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Tr.C.M.P.(MD).Nos.710 and 711 of 2023

G.ILANGO VAN,J.

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Tr.C.M.P.(MD).Nos.710 and 711 of 2023

01.02.2024