



Tr.C.M.P.(MD).No.66 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.03.2024

CORAM

THE HON'BLE MR.JUSTICE G.ILANGO VAN

Tr.C.M.P.(MD).No.66 of 2024
and C.M.P.(MD).No.1016 of 2024

P.Susila ... Petitioner/Respondent

Vs.

A.Loganathan ... Respondent/Petitioner

PRAYER : Transfer Civil Miscellaneous Petition filed under Section 24 of the Civil Procedure Code, to withdraw the case on the file of the learned Subordinate Judge, Virudhunagar in O.P.No.113 of 2023 and transfer the same to the learned Judge, Family Court, Madurai, to try along with the case in H.M.O.P.No.974 of 2023.

For Petitioner : Mr.S.Chandra Sekar

For Respondent : No Appearance

ORDER

This petition has been filed to pass an order to withdraw the case on the file of the learned Subordinate Judge, Virudhunagar in O.P.No. 113 of 2023 and transfer the same to the learned Judge, Family Court,



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Madurai, to try along with the case in H.M.O.P.No.974 of 2023.

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2.The marriage between the parties was solemnized on 30.11.2006. It appears that both are divorcee. But the respondent have illegal relationship with another lady. When the same was questioned, there was quarrel between them. The respondent harassed the petitioner. Hence, a police complaint was given by the petitioner before the Koodal Nagar Police Station. Thereafter, the respondent filed O.P.No.113 of 2023 before the Sub Court, Virudhunagar, with vexatious averments. In the meantime, the petitioner filed H.M.O.P.No.974 of 2023 before the Family Court, Madurai, for restitution of conjugal rights. To try the above said O.P.No.113 of 2023 along with H.M.O.P.No.974 of 2023 filed by the wife, this petition has been filed seeking transfer.

3.Heard the learned counsel for the petitioner. Even though the respondent was served with notice, none appears on behalf of him. His name was also printed in the cause list.

4.Considering the facts and circumstances of the case and



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considering the convenience of the wife, the O.P.No.113 of 2023, filed by the respondent on the file of the Subordinate Court, Virudhunagar, is ordered to be withdrawn and transferred to the Family Court, Madurai.

5.Accordingly, this transfer civil miscellaneous petition is allowed.

No costs. Consequently, connected miscellaneous petition is closed.

18.03.2024

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

To

- 1.The Subordinate Judge, Virudhunagar.
- 2.The Judge, Family Court, Madurai.
- 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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