



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.03.2016

CORAM:

THE HONOURABLE MS. JUSTICE V.M.VELUMANI

Tr.C.M.P(MD)No.125 of 2016

and C.M.P(MD)No.2106 of 2016

P.Sigamaninathan

... Petitioner

Vs.

C.Thanalakshmi

... Respondent

PRAYER: Transfer Civil Miscellaneous Petition filed under Section 24 of C.P.C., to withdraw the proceedings in M.C.No.1 of 2016 on the file of the II Additional District Munsif cum Judicial Magistrate Court, Kumbakonam and transfer the same to any other Court for adjudication.

For Petitioner : Mr.Chamundi Bose

O R D E R

The Transfer Civil Miscellaneous Petition is filed to withdraw the case in M.C.No.1 of 2016 on the file of the II Additional District Munsif cum Judicial Magistrate Court, Kumbakonam and transfer the same to some other Court.

2.The petitioner herein is the husband and the respondent is the wife. The marriage between the petitioner and the respondent was solemnized on 09.02.2014. Due to some dispute, both the husband and wife are living separately. Whiles, the respondent filed a petition in H.M.O.P.No.66 of 2014 before the Subordinate Court, Nagapattinam, for restitution of conjugal rights. At present, the petitioner is living with her parents. Therefore, it is very difficult for her to travel each and every hearing to attend the case in H.M.O.P.No.66 of 2014. The petitioner is depending on her parents for day to day expenses including travel expenses. The only apprehension of the petitioner is that as the respondent is a practising advocate at Kumbakonam bar and by using his influence, he may lodge false complaint. Therefore, he has come out with the present petition for transfer.



3. Considering the facts and circumstances of the case and the submission of the learned counsel for the petitioner, I find no merit in this Transfer Civil Miscellaneous Petition. Accordingly, this Transfer Civil Miscellaneous petition is dismissed. No costs. Consequently, C.M.P. is closed.

/True copy/

Sd/-

Assistant Registrar (CO Dept.) I/c.

Sub Assistant Registrar

To

The II Additional District Munsif cum Judicial Magistrate Court,
Kumbakonam.

Tr.C.M.P. (MD) No.125 of 2016
03.03.2016

nbj

SH/SK-SKN:31.03.2016:2P/2C