



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 26.10.2016

CORAM

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THE HONOURABLE MR.JUSTICE S.M. SUBRAMANIAM

Tr.C.M.P(MD)No.327 of 2016 and
CMP(MD).No.6148 of 2016

S. Chidambaram @ Sugumar

... Petitioner

Vs.

M. Visalakshi

... Respondent

Transfer Civil Miscellaneous Petition is filed under Section 24 of Civil Procedure Code to withdraw the case in HMOP.No.14 of 2016 on the file of the Family Court, Sivagangai and transfer the same to any competent Court at Dindigul.

For Petitioner : Mr. P.T. Rameshraj

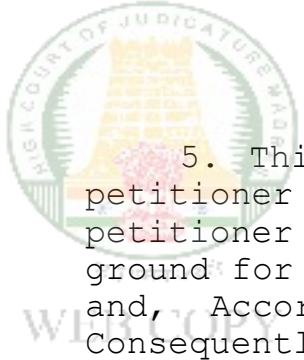
ORDER

The Transfer Civil Miscellaneous Petition is filed to withdraw the case in HMOP.No.14 of 2016 on the file of the Family Court, Sivagangai and transfer the same to any competent Court at Dindigul.

2. The facts in nutshell, as pleaded by the counsel for the petitioner, is that the marriage between the petitioner and the respondent was solemnized on 11.04.2008. Due to the misunderstanding between the parties, the respondent / wife was forcibly left the matrimonial home and living separately and thereafter, the petitioner filed HMOP.No.69 of 2016 on the file of Sub Court, Palani, Camp Court, Kodaikanal, for restitution of Conjugal Rights. The respondent filed HMOP.No.14 of 2016 on the file of Family Court, Sivagangai, for restitution of conjugal rights. The only ground on which the present petition for transfer is that there is a life threat to the petitioner and the petitioner will not be in a position to attend the case freely.

3. Notice served to the respondent and the respondent has not appeared in person either in person nor through the pleader.

4. The fact remains that the respondent / wife filed a petition for divorce which is pending before the Family Court, Sivagangai and the petitioner / husband filed HMOP.No.69 of 2016 before the Sub Court, Palani for restitution of conjugal rights.



5. This Court is not convinced with the ground raised by the petitioner for transfer of the case from Sivagangai to Dindigul. The petitioner is not able to substantiate any meaningful or reasonable ground for transfer and therefore, the petition is devoid of merits and, Accordingly, the Transfer CMP is dismissed. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar (CO)

/True Copy/

Sub Assistant Registrar

To

The Judge, Family Court,
Sivagangai.

+ 1 CC TO Mr.P.T.RAMESH RAJA, ADVOCATE IN SR No. 63713

TRP

TE/DB : 15/11/2016 : 2P/3C

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