



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED 23.06.2017

CORAM

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THE HONOURABLE MR.JUSTICE **R. SUBRAMANIAN**TR.C.M.P(MD)No.195 of 2017andC.M.P(MD)No.4329 of 2017

Jeyaprabha

.. Petitioner/Respondent

vs.

N.Palanikumar

...Respondent/Petitioner

Prayer: Transfer Civil Miscellaneous Petition filed under Section 24 of the Civil Procedure Code praying this Court to withdraw H.M.O.P.No.24 of 2016 on the file of Family Court, Srivilliputhur, Virudhunagar District and transfer the same to the file of Sub-Court, Virudhunagar District.

For Petitioner : Mr.G.Gomathi sankar

For Respondent : Mr.R.Boomirajan

ORDER

The wife, who is the respondent in H.M.O.P.No.24 of 2016, on the file of Family Court, Srivilliputhur, Virudhunagar District filed by the husband seeking restitution of conjugal rights, seeks transfer of the said proceedings to Sub-Court, Sivakasi, Virudhunagar District.

2.Though Srivilliputhur and Sivakasi are not far off, the Petitioner/wife contends that out of the marriage, a male child was born to them and since the male child is a pre-mature baby, he has problem in travelling even a very short distance and since he is very young, she cannot leave him and travel alone from Sivakasi to Srivilliputhur.

3.Taking into account the above difficulty expressed by the wife as well as the fact that the proceedings are pending before Family Court, Srivilliputhur, where the presence of the parties for every hearing is required, I deem it fit to withdraw the proceedings of 2016 from the file of Family Court, Srivilliputhur and transfer the same to the file of Sub-Court,



Sivakasi. The Family Court, Srivilliputhur is directed to despatch the records in H.M.O.P.No.24 of 2016 to Sub-Court, Sivakasi within a period of two weeks from the date of receipt of copy of this order. Consequently, connected Miscellaneous Petition is closed. No costs.

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Sd/-

Assistant Registrar(CS-III)

/True Copy/

Sub Assistant Registrar

To

1. The Judge,
Family Court, Srivilliputhur.

2.The Sub-Judge,
Sub-Court, Sivakasi.

+1cc to M/S.G.Gomathi sankar, Advocate SR.No. 61723

+1cc to Special Government Pleader, SR.No. 62397

TR.C.M.P (MD) No.195 of 2017

and

C.M.P (MD) No.4329 of 2017

23.06.2017

VSN

JM/SKN RSK/SAR 3/04.07.2017/2P/5C