



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 29.10.2018

CORAM :

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

TR CMP (MD) No.441 of 2018

and

CMP (MD) No.10253 of 2018

R.Amrutha

... Petitioner/Respondent

Vs.

V.Mahadevan

... Respondent/ Petitioner

Prayer : This Transfer Civil Miscellaneous Petition is filed under Section 24 of the Civil Procedure Code, to withdraw the HMOP No.150 of 2018 on the file of the Sub Court, Perambalur and transfer the same to the Family Court, Madurai.

For Petitioner

: Mr.R.Venkatesan

For Respondent

: Mr.N.Sudhagar Nagaraj

ORDER

The petitioner got married to the respondent on 01.02.2017 as per Hindu Rites and Customs. A female child was born through the wedlock. The little girl is with the mother, namely, the petitioner herein. The marital relationship between the parties appears to have come under strain. The respondent/husband filed HMOP No.150 of 2018 seeking restitution of conjugal rights before the Sub Court, Perambalur. The petitioner is based in Madurai. Therefore, it will be difficult for her to go over to Perambalur and contest the proceedings there.

2.The petitioner is a woman. Hence, in the interest of justice, this Court withdraws HMOP No.150 of 2018 from the file of the learned Sub Judge, Perambalur and transfers the same to the file of the learned Family Court, Madurai. However, the respondent need not appear in person before the Family Court, Madurai. He can be represented through counsel on all hearing dates. He needs to appear only on counselling dates and on those days when for his examination as witness, his presence is necessary and imperative.



3.This Transfer Civil Miscellaneous Petition is allowed. No costs. Consequently, connected miscellaneous petition is closed.

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/True Copy/

Sd/-
Assistant Registrar(W)

Sub Assistant Registrar(CS-IV)

To

1.The Sub Judge, Perambalur.

2.The Judge, Family Court, Madurai.

+1cc to M/S Right Law Associates Advocate in SR.No.92740

+1cc to Mr.N.Sudhagar Nagaraj Advocate in SR.No.93010

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