



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 20.08.2018

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

TR.C.M.P. (MD).No.252 of 2018 and
C.M.P. (MD)No.6394 of 2018

S.Sesha Binkey

... Petitioner/Respondent

Vs.

R.Lingeshwaran

... Respondent/Petitioner

PRAYER : Transfer Civil Miscellaneous petition is filed under Section 24 of Civil Procedure Code, to withdraw the H.M.O.P.No.481 of 2018 on the file of the Principal Family Court, Coimbatore, to the file of the learned Subordinate Judge, Valliyoor, Tirunelveli District.

For Petitioner	: Mr.S.R.Anbarasu
For Respondent	: No appearance.

O R D E R

The petitioner herein got married to the respondent on 11.11.2016 at Tiruchendur. They had their marital home at Coimbatore. The relationship between the parties appears to have come under strain. A child was born to the petitioner on 03.10.2017.

2. The respondent filed H.M.O.P.No.481 of 2018 on the file of the Principal Family Court, Coimbatore, for restitution of conjugal rights. Since the petitioner is having a 1 year breast-feeding child and she is also not employed, she is not in a position to travel to Coimbatore. The petitioner's father is an aged person. Therefore, it would cause great hardship to the petitioner to face the proceedings before the Principal Family Court, Coimbatore.

3. In this view of the matter, H.M.O.P.No.481 of 2018 pending on the file of the Principal Family Court, Coimbatore is withdrawn and transferred to the file of the Subordinate Court, Valliyoor, Tirunelveli District. The learned Subordinate Judge, Valliyoor, Tirunelveli District, shall issue fresh notice to the respondent herein intimating the date of hearing.



4. The Transfer Civil Miscellaneous petition stands allowed, accordingly. No costs. Consequently, connected Miscellaneous petition is closed.

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Sd/-
Assistant Registrar (AS)

/True Copy/

Sub Assistant Registrar (CS-III)

To

1. The Judge,
Principal Family Court, Coimbatore.

2. The Subordinate Judge,
Valliyoore, Tirunelveli District.

+ 1 CC TO Mr.S.R.ANBARASU, ADVOCATE IN SR No. 79301

PMU
TE/SKN/SAR-3 : 19/09/2018 : 2P/4C

ORDER MADE IN
TR.C.M.P. (MD) .No.252 of 2018 and
C.M.P. (MD)No.6394 of 2018
20.08.2018