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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 11.08.2018

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

TR.C.M.P. (MD) No.255 of 2018

and

C.M.P. (MD) No.6436 of 2018

Senthilkumari

... Petitioner

Vs.

Esakkiappan

...Respondent

PRAYER:- Transfer Civil Miscellaneous Petition filed under Section 24 C.P.C. to transfer the H.M.O.P.No.200 of 2018 pending on the file of the learned Family Court, Nagercoil at Kanniyakumari District to the learned Subordinate Court, Valliyoor at Tirunelveli District.

For Petitioner

:Mr.M.Laxmi Mahendraa

For Respondent

:Mr.M.Suri

O R D E R

The petitioner is the wife of the respondent. The respondent instituted H.M.O.P.No.200 of 2018 before the Family Court, Nagercoil, Kanniyakumari District seeking restitution of conjugal rights.

2. This Transfer petition has been filed to withdraw the said H.M.O.P and transfer it to the file of the Subordinate Court, at Valliyoor, Tirunelveli District.

3. The learned counsel for the petitioner submits that the wife is residing in Tirunelveli with her mother and it would cause immense hardship to attend every hearing at Nagercoil. She therefore wanted this Court to transfer the said H.M.O.P to the file of the Subordinate Court, at Valliyoor, Tirunelveli District which would be equal distance as far as the parties are concerned.

4.Though the learned counsel for the respondent opposes the request made by the petitioner, this Court is of the view that taking into the convenience of the parties, the said petition can be transferred to the file of the Subordinate Court, at Valliyoor, Tirunelveli District.

5. Accordingly, H.M.O.P.No.200 of 2018 pending on the file of the Family Court, Nagercoil, Kanniyakumari District is withdrawn and transferred to the file of the Subordinate Court, at Valliyoor, Tirunelveli District. The Sub Judge, Valliyoor,



Tirunelveli shall endeavour to dispose of the petition speedily. This Transfer Civil Miscellaneous Petition is allowed. No costs. Consequently, connected C.M.P.(MD) No. 6436 of 2018 is closed.

Sd/-

Assistant Registrar(CS-II)

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/True Copy/

Sub Assistant Registrar(CS-IV)

To,

1.The Judge, Family Court, Nagercoil at Kanniyakumari District.

2.The Subordinate Judge, Valliyoor at Tirunelveli District.

+1cc to Mr.M.Laxmi Mahendras, Advocate Sr.No.78119

+1cc to Mr.M.Suri, Advocate Sr.No.78269

CM

VB/SKN/SAR4/25.10.2018/2P/5C

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