



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 05.10.2018

CORAM :

WEB COPY

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Tr.C.M.P.(MD).No.299 of 2018

and

C.M.P.(MD)No.7336 of 2018

Jacinth Christabel

... Petitioner

Vs.

AL.Jagan Kumar

... Respondent

Prayer: Petition - filed under Section 24 of the Civil Procedure Code, to withdraw in I.D.O.P.No.51 of 2018 on the file of the Family Court, Madurai, and transfer the same to the file of the III Additional District Court, Tirunelveli.

For Petitioner : Mr.R.Karunanidhi

For Respondent : No appearance

ORDER

The petitioner got married to the respondent on 28.10.2016. The marital relationship appears to have come under strain. The respondent filed I.D.O.P.No.51 of 2018 before the Family Court, Madurai, for Restitution of Conjugal rights. The petitioner is based in Tirunelveli. It will be difficult to go over to Madurai and contest the proceedings. More so because the petitioner appears to be physically challenged. Therefore, this Court withdraws I.D.O.P.No.51 of 2018 from the file of the Family Court, Madurai and transfers the same to the III Additional District Judge, Tirunelveli.

3. It is made clear that the respondent need not appear before the III Additional District Court, Tirunelveli on all occasions. Of course, he has to appear on counselling date and on dates, when his examination as witness is necessary. On all other occasions, he can be represented through his counsel. Dispensing with the personal appearance of the respondent is granted in the above terms.

4. Accordingly, the Transfer Civil Miscellaneous Petition is allowed. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/

Assistant Registrar(W)

/True copy/

Sub Assistant Registrar(CS-II)



To:

1.The Judge ,
Family Court, Madurai.

2.The III Additional District Judge, Tirunelveli.

+1cc to Mr.R.KARUNANIDHI, Advocate, SR.No. 88813

Order made in
Tr.C.M.P. (MD) .No.299 of 2018

SM

KK/RSK/SAR-2/19.11.2018/2P-4C