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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 19.09.2018

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

TR.C.M.P. (MD)No.301 of 2018

and

C.M.P. (MD)Nos.7370 & 8053 of 2018

S.Pandiselvi

... Petitioner

Vs.

Sekar

... Respondent

Prayer: Petition filed under Section 24 of Civil Procedure Code praying to withdraw and transfer H.M.O.P.No.85 of 2018 on the file of the Family Court, Erode to the file of Family Court, Dindigul.

For Petitioner : Mr.V.Pandi

ORDER

Heard the learned Counsel appearing for the petitioner.

2. The petitioner got married to the respondent on 15.11.2013. The relationship between the parties appears to have come under strain. The respondent filed H.M.O.P.No.85 of 2018 before the Family Court, Erode, seeking restitution of conjugal rights. The petitioner has invoked the provisions of Domestic Violence Act, 2005 and has filed a petition under Sections 12, 20(1)(b), (d) and 22 of the said Act, before the authority concerned at Dindigul. The petitioner is based in Dindigul. The petitioner has to take care of her female child. It will be difficult for the petitioner to go to Erode and contest the proceedings there. Taking into account the special facts obtaining in this case, in the interest of justice, this Court withdraws H.M.O.P.No.85 of 2018 from the file of Family Court, Erode, and transfers the same to Family Court, Dindigul. The Family Court, Dindigul, shall intimate the next date of hearing to the respondent herein. The respondent need not appear before the Family Court, Dindigul, in person. He can appear through Counsel. Of course, the respondent has to appear on counselling dates and on those days when his examination as a witness is necessary.

3. This transfer civil miscellaneous petition is allowed accordingly. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar(CS-I)

/True Copy/



To

1. The Judge,
Family Court,
Erode.

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2. The Judge,
Family Court,
Dindigul.

GK

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