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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 11.10.2018
CORAM
THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

TR.C.M.P.(MD)No.347 of 2018 and
C.M.P.(MD)No.8489 of 2018

H.Aysathul Asma

... Petitioner

Vs.

J.Mohamed Sufi Alam

... Respondent

PRAYER: Transfer Civil Miscellaneous petition is filed under Section 24 of the Civil Procedure Code, to withdraw O.S.No.18 of 2018 on the file of the Family Court, Madurai and transfer the same to the file of the Subordinate Judge, Palani, for adjudication.

For Petitioner : Mr.K.Anna

For Respondent : Mr.J.Mohamed Sufi Alam
Party-in-person.

ORDER

The petitioner got married to the respondent on 08.05.2016. It appears that due to difference of opinion, the petitioner herein is living at Palani. Claiming restitution of conjugal rights, the respondent filed O.S.No.18 of 2018 before the Family Court, Madurai. The petitioner has filed this Transfer Civil Miscellaneous petition for transferring the said suit to the Sub Court, Palani.

2. Heard the learned counsel appearing for the petitioner and the respondent who has appeared as a party-in-person.

3. The marriage between the parties took place at Madurai. The parties last resided together at Madurai. Therefore, the suit for restitution of conjugal rights has been rightly instituted before the Family Court, Madurai. It is very much having the territorial jurisdiction to entertain the matter. The respondent is willing to bear the travel expenses of the petitioner herein. The petitioner has not made out a case for transferring O.S.No.18 of 2018 from the file of the Family Court, Madurai to the file of the Sub Court, Palani.

4. Therefore, finding no merit in this Transfer Civil Miscellaneous petition, the Transfer Civil Miscellaneous petition stands dismissed. No costs. Consequently, connected Miscellaneous petition is closed.

Sd/-

Assistant Registrar(Records)

/True Copy/



To

The Judge,
Family Court,
Madurai.

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