

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.03.2019

C O R A M

THE HONOURABLE MR.JUSTICE M.GOVINDARAJ

TR C.M.P. No.54 of 2019
and
C.M.P.No.2000 of 2019

Prundha

... Petitioner

Vs.

Selvakumaran

... Respondent

PRAYER: Transfer Civil Miscellaneous Petition filed under Section 24 of C.P.C., to withdraw the F.C.O.P.No.4833 of 2018 on the file of I Additional Family Court, Chennai and transfer the same to the Sub Court, Ramanathapuram.

For Petitioner : Mr.A.Arun Babu

For Respondent : Mr.S.N.A.Hussainy

O R D E R

This Transfer Civil Miscellaneous Petition has been filed seeking transfer of F.C.O.P.No.4833 of 2018 on the file of I Additional Family Court, Chennai to the file of the Sub Court, Ramanathapuram.

2. Respondent and petitioner are husband and wife. The respondent/husband filed a petition in F.C.O.P.No.4833 of 2018 for restitution of conjugal rights. The petitioner/wife has to travel all the way from Ramanathapuram to Chennai for every hearing which is 500 kms away from her place. She also submits that she has a male child and it will cause loss of mental and physical hardship to the child.

3. The learned counsel for the respondent would submit that there is no issue between the respondent/husband and the petitioner/wife, but intervention of 3rd party causes all these problems. Therefore, he would request to conduct the Mediation without interpretation of 3rd party.

4. Considering the submissions of both the parties, this Court is inclined to transfer the F.C.O.P.No.4833 of 2018

pending on the file of I Additional Family Court, Chennai to the file of Family Court, Madurai.

5. Accordingly, F.C.O.P.No.4833 of 2018 pending on the file of I Additional Family Court, Chennai is withdrawn and transferred to Family Court, Madurai. The direction is given to the learned Principal Judge, Family Court, Madurai to refer the matter to Mediation immediately after the receipt of the bundles. The parties are directed to co-operate in the Mediation process with open mind for an amicable settlement.

6. Accordingly, the Civil Miscellaneous Petition is ordered. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

bri

To

1.The I Additional Judge,
Family Court,
Chennai.

2.The Principal Judge,
Family Court, Madurai.

+1cc to Mr. S.N.A.Hussainy, Advocate, S.R.No. 28481

+1cc to Mr. A.Arun Babu, Advocate, S.R.No. 28356

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RK(CO)
GN(08/05/2019)