

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 28.02.2019

Coram

THE HONOURABLE MR. JUSTICE M.M.SUNDRESH
and
THE HONOURABLE MR. JUSTICE C.SARAVANAN

C.M.A.No.1490 of 2017

S.Vidhya Nancy .. Appellant

vs.

J.Albert Pradeep Kumar .. Respondent

Appeal filed under Section 19 of the Family Courts Act, 1984 against the fair and final order dated 17.08.2016 made in I.D.O.P.No.17 of 2014 on the file of the District Judge cum Family Court, Udthagamandalam, Nilgiris District.

For Appellant : Mr.V.Rajesh

JUDGMENT

(Judgment of the Court was delivered by M.M.SUNDRESH, J.)

As against the restitution of conjugal rights ordered by the Family Court, the present appeal has been filed.

2.The Family Court, on the petition filed by the respondent, who is the husband of the appellant, has come to the aforesaid conclusion holding that the mere fact that the appellant was working somewhere else by itself cannot be a ground to deny the relief of restitution of conjugal rights. In fact, the appellant herself has stated that she is ready and willing to join, provided her terms are agreed upon.

3.In such view of the matter, we do not find any error in the order passed by the Family Court, warranting interference. Accordingly, this Civil Miscellaneous Appeal stands dismissed. No costs.

Sd/-
Assistant Registrar

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Sub Assistant Registrar

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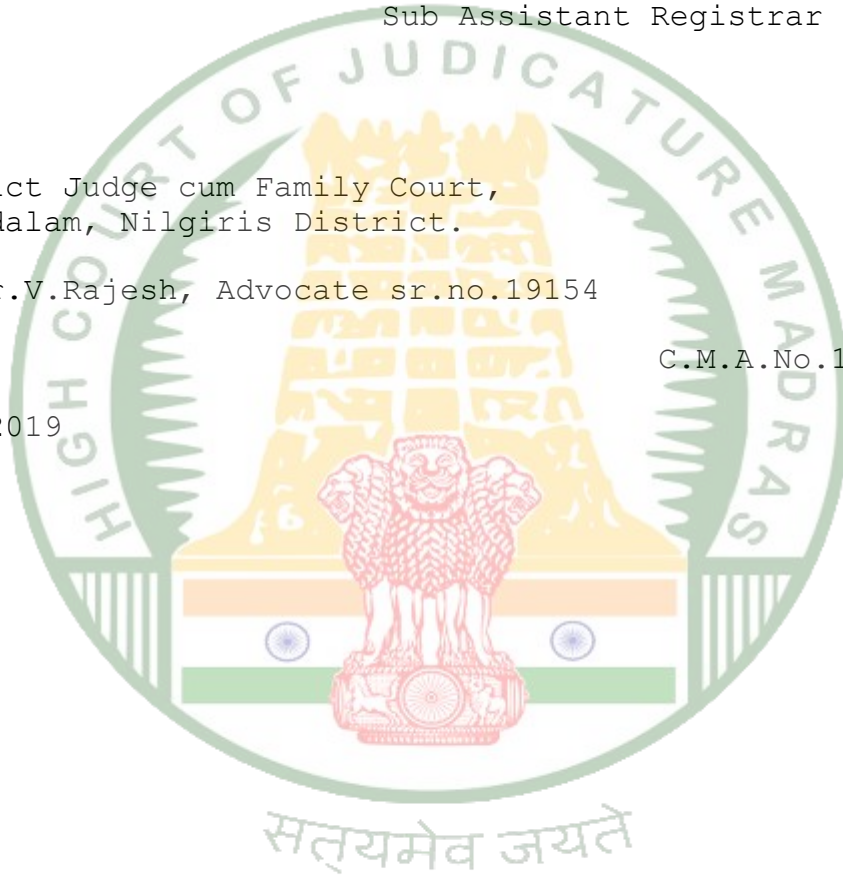
To

The District Judge cum Family Court,
Udhagamandalam, Nilgiris District.

+1cc to Mr.V.Rajesh, Advocate sr.no.19154

C.M.A.No.1490 of 2017

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