



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 13.11.2019

CORAM

THE HONOURABLE MS.JUSTICE **P.T.ASHA**

Tr.C.M.P. (MD)No.281 of 2019

and

C.M.P(MD)No.6675 of 2019

G.Manoranjani

... Petitioner

Vs.

V.Manikandan

... Respondent

PRAYER:- Petition filed under Section 24 of Civil Procedure Code, to withdraw the H.M.O.P.No.58 of 2019 on the file of the Sub Court at Ramanathapuram and transfer the same to the Family Court at Chennai to be tried on merits.

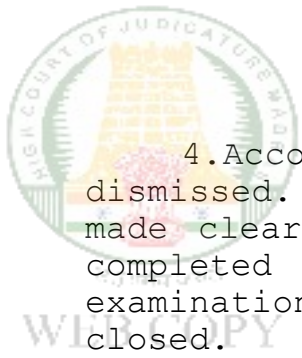
For Petitioner : Mr.M.Prabu
For Respondent : Mr.R.Venkatesan

O R D E R

The above Transfer Civil Miscellaneous Petition has been filed seeking to withdraw H.M.O.P.No.58 of 2019 filed by the respondent, for restitution of conjugal rights, on the file of the Sub Court, Ramanathapuram, to the file of the Family Court, Chennai.

2.The reason for seeking transfer is that the petitioner would find difficult to travel long way distance from Chennai to Ramanathapuram to prosecute the proceedings in H.M.O.P.No.58 of 2019 and she also sought for the transfer on the ground that she is residing at Chennai.

3.Considering the fact that if the case is transferred to the Family Court, Chennai, it would require the presence of both parties for every hearing and also taking into account the present petition is now pending in the Sub-Court, Ramanathapuram, where the presence of the parties is only required for adducing evidence, this Court does not find any merits in the transfer petition.



4. Accordingly, the Transfer Miscellaneous petition is dismissed. However, while dismissing the transfer petition, it is made clear that the cross examination of the petitioner shall be completed on the very same day, when she adduce the chief examination. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

Sub Assistant Registrar (CS)

To

1. The Subordinate Judge,
Ramanathapuram.

2. The Judge,
Family Court, Chennai.

+1 CC to M/s.M.PRABU, Advocate (SR-98220[F] dated 14/11/2019)

+1 CC to M/s.R.VENKATESAN, Advocate (SR-98764[F] dated 15/11/2019)

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vsd

SDS (20.12.2019) 2P 5C