

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.07.2020

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THE HONOURABLE MR.JUSTICE T.RAJA

Tr.C.M.P.No.111 of 2020

M.Sudha @ Sudha Lenin

.. Petitioner

-vs-

V. Yadav Kumar

.. Respondent

Transfer Civil Miscellaneous Petition filed under Section 24 of the Civil Procedure Code, to withdraw the H.M.O.P.No.5362 of 2019 on the file of the VII Additional Family Court, Chennai and transfer the same to the Family Court, Tiruchirappalli.

For Petitioner :: Mr.K.Kumaran
for Mr.D.J.Venkatesan

For Respondent :: No appearance

ORDER

Heard learned counsel for the petitioner through video conferencing due to the Covid-19 pandemic.

2. The petitioner, Mrs.M.Sudha @ Sudha Lenin married Mr.V.Yadav Kumar, the respondent herein on 5.12.2012 at Madhura Hotel Marriage Hall, Tiruchirappalli in the presence of the well wishers of both the families. Learned counsel for the petitioner submitted that the respondent was always in the habit of consuming alcohol beyond the limit and used to scold the petitioner in abusive words from the eleventh day of their marriage. Due to this, the petitioner suffered lots of humiliation. The petitioner was also advised to undergo the IVR treatment to beget a test tube baby and she was also under treatment. After seven months of pregnancy, she came to her parental home at Tiruchirappalli. Now she has given birth to twins, a boy and girl, who are aged 2 ½ years. But the respondent and his family members have not shown any interest to accept the petitioner. However, he has filed H.M.O.P.No.5362 of 2019 before the VII Additional Family Court, Chennai seeking restitution of conjugal rights. The petitioner is taking care of the twin babies aged 2 ½ years at Tiruchirappalli. In view of the Covid-19 pandemic, she has been advised not to undertake

a long journey from Tiruchirappalli to Chennai, as she may be vulnerable to the virus.

3. Although Court notice was served on the respondent, none has turned up. Therefore, accepting the balance of convenience in favour of the petitioner, as she is taking care of the twin babies aged 2 ½ years, the transfer civil miscellaneous petition stands allowed and the H.M.O.P.No.5362 of 2019 is withdrawn from the VII Additional Family Court, Chennai and transferred to the Family Court, Tiruchirappalli for disposal on merits expeditiously. Consequently, C.M.P.No.3805 of 2020 is closed.

Sd/-

Assistant Registrar(CS VIII)

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Sub Assistant Registrar

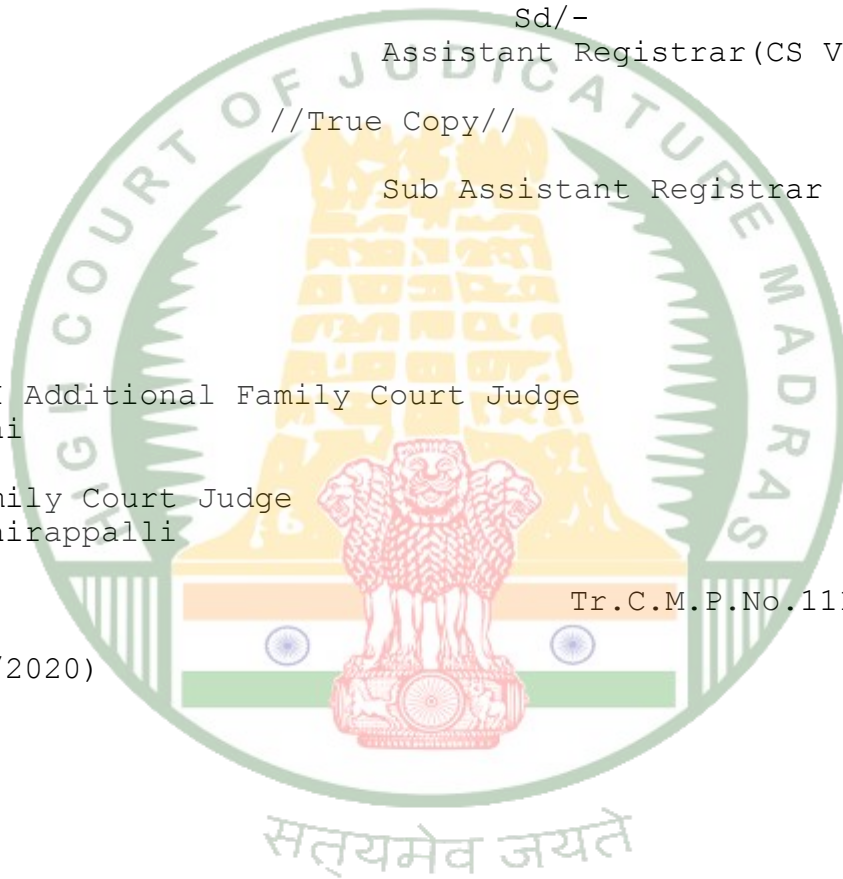
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To

1. The VII Additional Family Court Judge
Chennai
2. The Family Court Judge
Tiruchirappalli

Tr.C.M.P.No.111 of 2020

RSV(CO)
RMP(29/09/2020)



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