



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.06.2021

CORAM:

THE HONOURABLE Mr. JUSTICE S.S.SUNDAR

Tr.C.M.P. No.227 of 2021

and

C.M.P. Nos.6367 & 6368 of 2021

N.Divyapriya

.. Petitioner

Vs

E.Ajithikumar

.. Respondent

Transfer Civil Miscellaneous Petition filed under Section 24 of Civil Procedure Code, to order withdrawal of H.M.O.P. No.256 of 2020 from the file of the Family Court of Kanyakumari District at Nagercoil and transfer the same to the Sub-Court at Chidhambaram.

For Petitioner : Ms. J.Usha

For Respondent : No appearance

O R D E R

Though Mr. T. Wins, learned counsel, filed vakalat on behalf of the respondent, he did not appear on earlier occasions. Hence this Court directed the matter to be posted today under the caption "For orders". Even today there is no representation on behalf of the respondent.

2. This transfer civil miscellaneous petition is filed to withdraw H.M.O.P. No.256 of 2020 pending on the file of the Family Court, Kanyakumari District, Nagercoil and transfer the same to the file of Sub Court, Chidhambaram.

3. The petitioner is the wife in this transfer petition. The respondent husband filed a petition for restitution of conjugal rights in H.M.O.P. No.256 of 2020 before the Family Court, Kanyakumari District, Nagercoil. In the affidavit filed in support of this petition, it is stated by the petitioner that the respondent filed a petition for restitution of conjugal rights and did not turn up for the proceedings regularly. It is the contention of the petitioner that the respondent filed the petition before Family Court, Kanyakumari District, Nagercoil, only to harass the petitioner. The transfer is mainly on the ground of convenience of wife.



4. Considering the facts and circumstances of the case, this Court is inclined to allow this petition. Accordingly, H.M.O.P. No.256 of 2020 is hereby withdrawn from the file of Family Court, Kanyakumari District, Nagercoil and transferred to Sub Court, Chidhambaram.

5. This transfer civil miscellaneous petition is thus allowed. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar (CS-VI)

//True copy//

Sub Assistant Registrar

bkn

To

1.The Family Court,
Kanyakumari District,
Nagercoil.

2. The Sub Court,
Chidhambaram.

+1cc to Ms. J.Usha, Advocate SR.No.29096

Tr. C.M.P. No.227 of 2021

RLD(CO)
GMY(23/07/2021)