



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 08.04.2021

CORAM:

THE HONOURABLE MR.JUSTICE A.A.NAKKIRAN

Tr.C.M.P. (MD) No.78 of 2021
and
C.M.P. (MD) No.1432 of 2021

M.Akila :Petitioner / Respondent

-vs-

Maruthupandi :Respondent/ Petitioner

PRAYER: Transfer Civil Miscellaneous Petition is filed under Section 24 of the Code of Civil Procedure to withdraw the proceedings pending in H.M.O.P.No.40 of 2021 from the file of the Family Court, Madurai, and transfer the same to the Sub Court, Virudhunagar.

For Petitioner : Mr.R.Chandrasekar
For Respondent : No appearance

ORDER

The present Transfer Civil Miscellaneous Petition is filed for transfer of H.M.O.P.No.40 of 2021 from the file of the Family Court, Madurai, to the file of the Sub Court, Virudhunagar.

2. Though the name of the respondent is printed in the cause list, the respondent has not chosen to appear either in person or through counsel duly instructed.

3. The learned counsel for the petitioner submits that the respondent/husband has filed H.M.O.P.No.40 of 2021 before the Family Court, Madurai, for restitution of conjugal rights. It is further submitted that the petitioner and her child are residing in Virudhunagar in her parental home and the child is suffering from kidney problem by birth. It is too difficult for her to travel from Virudhunagar to Madurai along with child for attending every hearing.

4. This Court is satisfied with the reasons assigned in the affidavit filed in support of this petition.

5. In view of the same, H.M.O.P.No.40 of 2021 is withdrawn from the file of the Family Court, Madurai and transferred to the file of the Sub Court, Virudhunagar for disposal as per law. The Family Court, Madurai is directed to transmit the papers to the Sub Court, Virudhunagar, forthwith.



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Tr CMP (MD) No. 78 of 2021

6. In fine, this petition is allowed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

ASSISTANT REGISTRAR (RTI Act)

/TRUE COPY/

/ /2021

SUB ASSISTANT REGISTRAR (CS)

To:

1. The Judge, Family Court, Madurai

2. The Subordinate Judge, Virudhunagar,

+1 CC to Mr.R.CHANDRASEKAR, Advocate (SR-15585[F] dated 09/04/2021)

CM/MSA (PA) KUN (CO)
RP/12.05.2021/2P/4C.

Order made in
Tr.C.M.P. (MD) No.78 of 2021

and
C.M.P. (MD) No.1432 of 2021

Dated:08.04.2021