



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08.01.2021

CORAM :

THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN

TR.CMP(MD).No.198 of 2020 and
CMP(MD).No.4051 of 2020

WEB COPY

M. Pandeewari

.. Petitioner/Respondent

Vs.

Suresh @ Sureshkumar

.. Respondent/Petitioner

Prayer: Transfer CMP filed under Section 24 CPC to withdraw and transfer HMOP.No.35 of 2020 on the file of the Family Court, Nagapattinam to the Family Court, Dindigul.

For petitioner : Mr. J. Vishnu

For respondent : No appearance

ORDER

The petitioner / wife, who is facing the proceedings for restitution of conjugal rights at the instance of the respondent / husband, seeks transfer of the same from Family Court, Nagapattinam to the Family Court, Dindigul. Transfer is sought for mainly on the ground of convenience.

2. A perusal of the original petition itself shows that the petitioner / wife is a resident of Dindigul. Despite the service, the respondent / husband has not chosen to appear neither in person or through counsel duly instructed.

3. Considering the fact that the respondent / husband is the resident of Nagapattinam and petitioner / wife is the resident of Dindigul, if the proceedings are transferred to the Family Court, Dindigul, the respondent / husband will be more inconvenienced as he will have to attend every hearing in person in the Family Court, Dindigul. It is therefore, deemed to fit to transfer the HMOP.No.35 of 2020 to the Sub Court, Dindigul as the same will reduce the inconvenience caused to the parties, as lawyers can represent the parties for preliminary hearings before the Sub court.

4. In view of the same, the Transfer CMP is allowed and the HMOP.No.35 of 2020, on the file of the Family Court, Nagapattinam is withdrawn and transferred to the file of the Principal Subordinate Court, Dindigul. The Family Court, Nagapattinam is directed to transmit the papers to the Principal



Sub Court, Dindigul, forthwith. No costs. Consequently, the connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (CS II)

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Sub Assistant Registrar(CS)

trp

To

1. The Judge,
The Family Court, Nagapattinam.
2. The Judge,
The Principal Sub Court, Dindigul.

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MJ(CO)

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