



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.01.2021

CORAM :

THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN

TR.CMP.(MD).No. 258 of 2020 and

CMP (MD) .No.5783 of 2020

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S. Gnanaselvi ... Petitioner/Respondent
Vs.
V.S. Sivaprakash ... Respondent/Petitioner

Prayer: Transfer CMP filed under Section 24 CPC to withdraw the HMOP.No.38 of 2020 on the file of the Family Court, Madurai and transfer the same to the file of Family Court, Thirunelveli.

For petitioner : Mr.V.Karnan

For respondent : Mr. I. Pinaygash

ORDER

The petitioner / wife seeks transfer of HMOP.No. 38 of 2020, filed by the respondent / husband seeking restitution on conjugal rights on the file of Family Court at Madurai.

2. The counsel for the petitioner is absent. Transfer is sought for solely on the ground of convenience as the petitioner / wife is a resident of Thirunelveli.

3. The learned counsel appearing for the respondent would submit that the respondent / husband has got aged parents, who are suffering from various ailments and undergoing treatment and therefore, it would be difficult for him to travel to Thirunelveli for every hearing.

4. Considering the above, I am of the opinion that the transfer of HMOP.No.38 of 2020, to the file of the Additional Sub Court at Thirunelveli would met the ends of justice as the husband will not be required for person for every hearing as in the case of Family Court.

5. Therefore, the Transfer CMP is allowed and the HMOP.No.38 of 2020 pending on the file of the Family Court, Madurai is withdrawn and transferred to the file of Additional Sub Court, Thirunelveli, to be heard and disposed of in accordance with law.



The Family Court, Madurai is directed to transmit the papers to the Additional Sub Court, Thirunelveli, forthwith. No costs. Consequently, the connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (CS I)

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Sub Assistant Registrar(CS)

trp

To

1. The Presiding Judge,
The Family Court, Madurai.

2.The Additional Sub Judge,
Thirunelveli.

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MJ(CO)

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