



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 03.02.2021

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE **R. SUBRAMANIAN**

TR.C.M.P. (MD)No.333 of 2020
and
C.M.P. (MD)No.7453 of 2020

Nagachitra : Petitioner / Respondent

Vs.

Senthilkumar : Respondent / Petitioner

PRAYER:- The petition filed under Section 24 of the Civil Procedure Code, to withdraw the case in H.M.O.P.No.255 of 2020 from the file of the Family Court, Sivagangai, and transfer the same to the file of the Subordinate Court, Ramanathapuram for disposal of the same on merits in accordance with law.

For Petitioner :Mr.M.Kannan

For Respondent :No Appearance

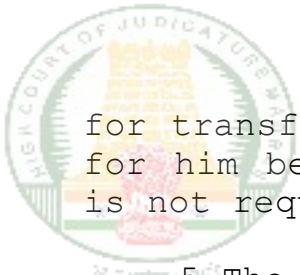
ORDER

Despite service of notice, the respondent is not appearing either in person or through Counsel duly instructed.

2.The wife seeks transfer of H.M.O.P.No.255 of 2020 filed by the husband on the file of the Family Court, Sivagangai, seeking restitution of conjugal rights. The transfer is sought for mainly on the ground of convenience.

3.It is seen from the records in H.M.O.P.No.255 of 2020 that the wife is a resident of Rameshwaram island. Considering the distance between Sivagangai and Rameshwaram and the fact that the proceedings before the Family Court requires the presence of the parties for every hearing, it is clear that the wife will be put to substantial inconvenience, if the proceedings are allowed to go on at the Family Court, Sivagangai.

4.Therefore, H.M.O.P.No.255 of 2020 is withdrawn from the file of the Family Court, Sivagangai, and transferred to the file of Subordinate Court, Ramanathapuram. Inconvenience to the husband



for transfer may not be much, as he can engage a Lawyer to appear for him before the Subordinate Court and his personal appearance is not required for non effective hearings.

5.The Transfer Civil Miscellaneous Petition is allowed on the above terms. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS-II)

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/ /2021

Sub Assistant Registrar(CS)

cmr

To

- 1.The Judge, Family Court, Sivagnagai.
- 2.The Subordinate Judge, Ramanathapuram.

+1 CC to M/s.M.KANNAN, Advocate (SR-3223[F] dated 04/02/2021)

TR.C.M.P.(MD)No.333 of 2020
03.02.2021

SE(CO)

TR(16.02.2021) 2P 4C