



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.02.2022

CORAM

THE HONOURABLE MS. JUSTICE P.T.ASHA

Tr.CMP. No.23 of 2022
and
C.M.P.No.591 of 2022

R.Babyshanthi ... Petitioner/Respondent.

Vs

M.Arunkumar ... Respondent/Respondent.

PRAYER: Petition filed under Section 24 of the Code of Civil Procedure, to withdraw the the H.M.O.P. No.233 of 2021 on the file of Family Court, Pudhukottai and transfer the same to Family Court, Salem to try along with H.M.O.P. No.280 of 2021 and pass such further or other orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.

For Petitioner :M/s R.Nalliyappan

For Respondent :Mr. T.Ganesan

ORDER

The above application is filed by the petitioner/wife seeking transfer of the proceedings for the restitution of conjugal rights filed by the respondent/husband in H.M.O.P.No.233 of 2021, on the file of the Family Court, Pudhukottai, to the file of the Family Court, Salem to be tried along with H.M.O.P.No.280 of 2021 filed by the petitioner for divorce.

2. The reasons for seeking the transfer are as follows:

i) The petitioner is residing at Salem, within the jurisdiction of the Family Court Salem.

ii) The respondent/husband is not paying any maintenance to the petitioner for herself or for her child.

iii) Since, the matter is pending before the



Family Court, the petitioner has to travel for every hearing from Salem to Pudhukottai.

3. Considering the above reasons and also taking note of the fact that the husband has not being paying any maintenance either for his wife expenses or for his child and also considering that the respondent who has entered appearance through counsel has no objection to the transfer being ordered accordingly the Transfer Civil Miscellaneous Petition is allowed and H.M.O.P. No.233 of 2021, pending on the file of the Family Court, Pudhukottai is withdrawn and transferred to the file of the Family Court, Salem to be tried along with H.M.O.P.No.280 of 2021. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar

// True Copy //

Sub Assistant Registrar

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To

1.The Family Court, Pudhukottai.

2.The Family Court, Salem.

+1cc to Mr.R,Nalliyappan, Advocate SR.No.11012

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and

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SRA(CO)

CB(08/04/2022)