



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.04.2022

CORAM

THE HONOURABLE MS. JUSTICE P.T.ASHA

Tr.CMP. No.179 of 2021
and
C.M.P.No.5393 of 2021

S.Revathy ... Petitioner/Respondent

Vs

S.Rajesh Kumar ... Respondent/Petitioner

PRAYER: Petition filed under Section 24 of the Code of Civil Procedure, to transfer the HMOP No.187 of 2021 on the file of the Family Court V at Chennai to Family Court at Puducherry or pass such further or other orders as may be deemed fit and proper in the circumstances of the case.

For Petitioner : Mr.P.Suresh Philemon

For Respondent : No appearance

ORDER

The respondent/wife in a petition for restitution of conjugal rights filed by the husband on the file of the Family Court V, Chennai in H.M.O.P.No.187 of 2021 is the petitioner before this Court. The petitioner seeks to withdraw the above proceedings pending on the file of the Family Court V, Chennai and transfer the same to the file of the Family Court, Puducherry.

2. Reason for seeking the transfer are as follows:

i) She is suffering health issues due to accident occurred during the year 2015.

ii) Her father is cardiac patient and continuously taking medicine, and he has undergone bypass surgery. In addition to that her father is taking medication from EAsh Coast Hospitals, Puducherry.

iii) It is very difficult not only for her but



also for entire family if she comes to Chennai for each and every hearing of the case.

3. The respondent/husband has refused to receive the notice and, the notice is therefore deemed to be served on the respondent.

4. Heard the learned counsel for the petitioner/wife.

5. Considering the fact that the sufficient reasons for seeking the transfer have been stated in the affidavit filed in support of her petition and also taking into account of the health of the petitioner as well as her parents, the Transfer Civil Miscellaneous Petition is allowed and H.MO.P.No.187 of 2021, pending on the file of the Family Court V at Chennai, is withdrawn and transferred to the file of the Family Court, Puducherry. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar

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To

1.The Judge, the Family Court No. V at Chennai.

2.The Judge, the Family Court, Puducherry.

+2cc to Mr.P.Suresh, Advocate, S.R.No.25586

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VG-II(CO)
CT 26/05/2022