

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.02.2022

CORAM

THE HONOURABLE Ms. JUSTICE P.T. ASHA

Tr.C.M.P.No.989 of 2021

&

C.M.P.No.21764 of 2021

T.Ranjitha

...Petitioner/Respondent

Vs

S.Vinoth

...Respondent/Petitioner

Prayer: Transfer Civil Miscellaneous Petition is filed under Section 24 of the Code of Civil Procedure to withdraw and to transfer the case in H.M.O.P.No.4025 of 2021 of Hon'ble I - Additional Family Court, Chennai to the Hon'ble Family Court at Nagapattinam.

For Petitioner : Mr.A.Laxmi Rajarathinam

For Respondent : Mr.K.Venkateswaran

ORDER

The wife who is the respondent in H.M.O.P.No.4025 of 2021, pending on the file of the I Additional Family Court, Chennai, is the petitioner before this Court. The petitioner wife has filed the above petition for transferring the said proceedings now pending on the file of the I Additional Judge, Family Court, Chennai to the file of the Family Court, Nagapattinam.

2. The petitioner has approached this Court seeking the transfer on the following grounds:

(a)The petitioner is now living with her mother at Nagapattinam and the respondent husband has filed the said petition only to harass the petitioner by making her to run from pillar to post.

(b)The petitioner has 3 year old son and it is the petitioner who is taking care of him. The respondent has not taken any steps to maintain his wife and the child.

(c)The petitioner has filed a Maintenance Case in

M.C.No.24 of 2021, which is pending on the file of the Additional Mahila Court, Nagapattinam and the respondent has filed the petition for restitution of conjugal rights before the I Additional Family Court, Chennai only to show the world that he is a good person.

(d)The petitioner cannot travel by herself with 3 year old child which would be a great deal of hardship and strain both financially as well as physically.

3. The reasons set out supra gives sufficient grounds for transferring the petition for restitution of conjugal rights filed by the respondent husband on the file of the I Additional Family Court, Chennai, to the file of the Family Court, Nagapattinam.

4. For the above reasons, the Transfer Civil Miscellaneous Petition stands allowed. Consequently, connected Civil Miscellaneous Petition is closed. No costs.

Sd/-

Assistant Registrar (CS-III)

//True Copy//

Sub Assistant Registrar

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To

1.The I Additional Family Court,
Chennai.

2.The Family Court,
Nagapattinam.

+1cc to Mr.K.Venkateswaran, Advocate SR. No.10524
+3ccs to M/s.A.Laxmi Raj Rathnam, Advocate SR. No.10910

Tr.C.M.P.No.989 of 2021

GJ (CO)
PR (08/03/2022)