



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.01.2022

CORAM:

THE HONOURABLE MS.JUSTICE P.T.ASHA

Tr.C.M.P. (MD) No.301 of 2021
and
C.M.P. (MD) No.6352 of 2021

R.Vinotha .. Petitioner/Respondent

-vs-

R.Kannan .. Respondent/Petitioner

Prayer :- Petition filed under Section 24 Civil Procedure Code to withdraw H.M.O.P.No.2522 of 2021 from the file of Family Court, Chennai and transfer the same to the file of Family Court, Madurai.

For Petitioner : Mr.N.Dilip Kumar

For Respondent : Mr.A.Thirumuthy

ORDER

The wife has filed this petition seeking transfer of H.M.O.P.No.2522 of 2021 filed by the respondent/husband for restitution of conjugal rights on the file of the Family Court, Chennai to the Family Court, Madurai.

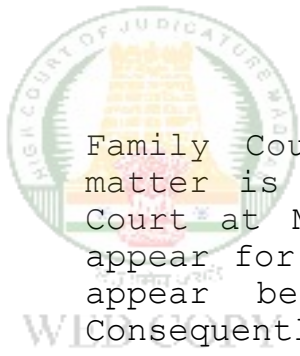
2.The reasons for seeking transfer are as follows:-

(i) The petitioner has left Chennai and is now living at Madurai with her parents and she has a medical issue for which, she is taking treatment at Madurai;

(ii) She does not have an independent source of income and it is her father, who is a retired Bank Officer, is taking care of her day-to-day needs as well as that of her son. Her father is aged about 78 years and her mother, who is also retired from the Judicial Department, is aged about 72 years;

(iii) Since, the matter is now pending before the Family Court, at Chennai she will have to travel for every hearing to Chennai.

3.The reasons given by the petitioner seeking transfer appear to be justified and therefore, this Transfer Civil Miscellaneous Petition is allowed and H.M.O.P.No.2522 of 2021 is withdrawn from the file of the Family Court, Chennai and transferred to the file of



Family Court, Madurai. However, considering the fact that the matter is now sought to be transferred to the file of the Family Court at Madurai, the respondent/husband is given liberty not to appear for every hearing before the Family Court at Madurai and can appear before the Court for adducing evidence. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS-II)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

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Note:-

In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the Advocate / litigant concerned.

To

1.The Family Judge, Chennai.

2.The Family Judge, Madurai.

+1 CC to M/s.T.SAKTHI KUMARAN, Advocate (SR-2655[F] dated 27/01/2022)

+1 CC to M/s.N.DILIPKUMAR, Advocate (SR-2689[F] dated 27/01/2022)

Tr.C.M.P.(MD) No.301 of 2021

Dated: 27.01.2022

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