



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.01.2022

CORAM:

THE HONOURABLE MS.JUSTICE P.T.ASHA

Tr.C.M.P. (MD) No.541 of 2021
and
C.M.P. (MD) No.9834 of 2021

Jebasudha ... Petitioner
-vs-
Kumaresan @ Mosas ... Respondent

Prayer :- Petition filed under Section 24 of Code of Civil Procedure, to withdraw the case in OP.No.190 of 2021 on the file of the learned Family Judge, Sivagangai and transfer the same to the file of the Family Court, Thoothukudi or any Court of competent jurisdiction in Thotthukudi District.

For Petitioner : Mr.S.Rajasekar

For Respondent : Mr.S.Jeyakarthik

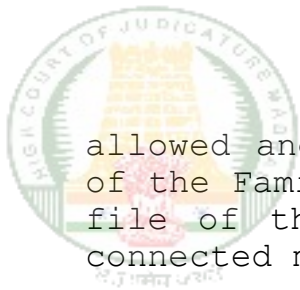
ORDER

The wife seeks to transfer OP No.190 of 2021 filed by her husband for restitution of conjugal rights on the file the Family Court, Sivagangai to the file of the Family Court, Thoothukudi, where the petitioner is now residing along with her minor daughter.

2.The petitioner would submit that since the matter is pending before the Family Court, she has to travel for every hearing to Sivagangai and she has a one year old child, who would also have to be taken for every hearing. This would cause immense hardship to her both physically as well as financially.

3.The respondent has entered appearance through counsel. Heard the learned counsel appearing on either side and perused the records.

4.Considering the reasons given by the petitioner and taking into account the hardship that would be caused to the petitioner/wife, if the matter continues on the file of the Family Court, Sivagangai, this Transfer Civil Miscellaneous Petition is



allowed and the petition in O.P.No.190 of 2021 pending on the file of the Family Court, Sivagangai, is withdrawn and transferred to the file of the Family Court, Thoothukudi. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (As)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

cp

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 Judge,
Family Court,
Sivagangai

2.The Judge,
Family Court,
Thoothukudi

+1 CC to M/s.T.LAJAPATHI ROY, Advocate (SR-2318[F] dated 25/01/2022)

+1 CC to M/s.M.S.JEYA KARTHIK, Advocate (SR-2208[F] dated 24/01/2022)

Tr.C.M.P. (MD) No.541 of 2021

and

C.M.P. (MD) No.9834 of 2021

Dated: 24.01.2022

MGJ(09.02.2022) 2P 5C