



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 15.02.2022

CORAM:

THE HONOURABLE MRS.JUSTICE S.ANANTHI

Tr.C.M.P. (MD) No.606 of 2021 &

C.M.P. (MD) No.10960 of 2021

P.Udayabharathi ... Petitioner/Respondent

-vs-

R.GowthamRaghavan ... Respondent/Petitioner

Prayer: Petition filed under Sections 24 of Code of Civil Procedure, to withdraw F.C.O.P.No.202 of 2021 from the file of the Family Court, Tiruvannamalai and transfer the same to the Sub-ordinate Judge, Tirumangalam, Madurai District.

For Petitioner : M/s.A.Amala

For Respondent : Mr.C.Godwin

O R D E R

The Transfer Civil Miscellaneous Petition is filed to withdraw F.C.O.P.No.202 of 2021 from the file of the Family Court, Tiruvannamalai and transfer the same to the Sub-ordinate Judge, Tirumangalam, Madurai District.

2. The respondent/husband filed F.C.O.P.No. 202 of 2021 before the Family Court, Tiruvannamalai for restitution of conjugal rights. Now, the petitioner / wife and her child are residing along with her parents at Madurai. Hence, she filed this petition to transfer the F.C.O.P.No. 202 of 2021, to the Court at Tirumangalam, Madurai District.

3. The learned counsel for the petitioner would submit that the petitioner and her child are residing at Madurai, along with her parents. Hence, she is unable to travel to Tiruvannamalai from Madurai for every hearing of the case. Therefore she would pray that the said F.C.O.P.No. 202 of 2021 shall be transferred to the Sub-ordinate Court, Tirumangalam, Madurai District.

4.The learned counsel appearing for the respondent submits that the petitioner is not residing at Madurai and she received summon only from Kadaladi Taluk, Periyakulam. However, if the case is transferred to the Family Court, Madurai, he has no objection for



5. In reply, the learned counsel for the petitioner submits that the petitioner has also no objection to transfer F.C.O.P.No. 202 of 2021 to the Family Court, Madurai.

6. Considering the fact that the petitioner is unable to travel from Madurai to Tiruvannamalai for every hearing of the case and the submissions made by both sides, F.C.O.P.No. 202 of 2021 is withdrawn from the file of the Family Court, Tiruvannamalai and is transferred to the file of the Family Court, Madurai. Accordingly, the Transfer CMP is partly allowed. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(RECORDS)

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/ /2022

Sub Assistant Registrar(CS)

ssb

To

1. The Judge, Family Court, Tiruvannamalai

2. The Judge, Family Court, Madurai.

+1 CC to M/s.A.AMALA, Advocate (SR-6360[F] dated 16/02/2022)

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SS(05.03.2022) 2P 4C