



Tr.C.M.P(MD)No.733 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **21.02.2023**

CORAM

THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR

Tr.C.M.P(MD)No.733 of 2022

and

C.M.P(MD)No.11632 of 2022

Stella Anit.P

... Petitioner/ Respondent

Vs.

M.Pon Durai Pandiyan

... Respondent/ Petitioner

PRAYER : Transfer Civil Miscellaneous Petition is filed under Section 24 of the Code of Civil Procedure, to withdraw the I.D.O.P.No.110 of 2021 pending on the file of the II Additional District Court, Tuticorin and transfer the same to Family Court, Tirunelveli.

For Petitioner : Mr.M.Karthikeyavenkitachalapathy

For Respondent : No appearance

ORDER

The present transfer civil miscellaneous Petition has been filed by the wife seeking to transfer I.D.O.P.No.110 of 2021 pending on the file of the II Additional District Court, Tuticorin to be transferred to Family Court Tirunelveli.



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2. According to the learned counsel appearing for the petitioner/wife, she is the permanent resident at Tirunelveli and she finds it difficult to travel all along to Tuticorin to attend every hearing. The petitioner further contends that she had filed I.D.O.P.No.263 of 2022 on the file of the Family Court, Tirunelveli, seeking for restitution of conjugal rights and the same is pending.

3. Though the respondent/husband has been served, he has not chosen to appear either in person or through counsel.

4. Considering the aforesaid facts, I.D.O.P.No.110 of 2021 pending on the file of the II Additional District Judge, Tuticorin, is hereby withdrawn and transferred to Family Court, Tirunelveli, to be tried along with I.D.O.P.No.263 of 2022.

4. With the above observation, the Transfer Civil Miscellaneous Petition is allowed. No costs. Consequently, connected Miscellaneous Petition is closed.

21.02.2023

NCC : Yes / No
Index : Yes / No
Rmk



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To

1. II Additional District Judge, Tuticorin.
2. The Judge, Family Court, Tirunelveli.

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R.VIJAYAKUMAR ,J.

Rmk

Order made in
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