



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.09.2015

CORAM:

THE HONOURABLE MR.JUSTICE P.DEVADASS

TR.CM.P.(MD) No.314 of 2015

and

M.P.(MD) No.1 of 2015

Kalaivani

..Petitioner/Respondent

-vs-

Suryanarayanan

..Respondent / Petitioner

PRAYER: Petition is filed, under Section 24 of the Code of Civil Procedure, to withdraw and transfer the H.M.O.P.No.161 of 2015, on the file of Family Court, Erode, to the Family Court, Trichy District.

For Petitioner : Mr.T.Senthilkumar

For Respondent : No appearance

O R D E R

This transfer petition is filed, under Section 24 of the Code of Civil Procedure, to withdraw H.M.O.P.No.161 of 2015, from the Family Court, Erode, and to transfer it to the Family Court, Trichy.

2. Notice has been served on the respondent at his Trichy address. But, neither he nor anyone on his behalf was present.

3. The learned counsel for the petitioner would submit that since the petitioner and the respondent are residing in Trichy, it would be convenient for them to conduct the matrimonial case in the Family Court, Trichy. There is somuch difficulty and expensive in her going to Erode from Trichy.

4. On 23.11.2006, the marriage between both took place in Erode. They were blessed with a female child, but not with a happy married life. Difference of opinion arose between them.

5. While she was in Erode, she filed H.M.O.P.No.286 of 2012, in the Court of Principal Sub Judge, Erode, for divorce. Subsequently, after the formation of Family Court in Erode, the said H.M.O.P.No.286 of 2012 has been transferred to the Family Court, Erode. It was renumbered as H.M.O.P.No.161 of 2015. She was granted ex parte divorce. Subsequently, she married one Sridharan. They started living in Trichy.

6. Now headache came for her from the respondent. On his application, the Family Court, Erode, set aside the ex parte divorce. Now, on the one side, her first husband, on the other side her new



husband Sridharan, in between them the petitioner. The one more problem is that the respondent and the said Sridharan are residing in Trichy. Now, all have no connection with Erode. In the circumstances, her plea for transfer to Trichy is acceptable.

WEB COPY

7. In view of the foregoing, ordered as under:

- (i) H.M.O.P.No.161 of 2015, pending on the file of the Family Court, Erode, is transferred to the file of the Family Court, Trichy.
- (ii) The Judge, Family Court, Erode shall send the case records to the Family Court, Trichy, forthwith.

8. Accordingly, this transfer civil miscellaneous petition is allowed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (AE)

/True Copy/

Sub Assistant Registrar

To:

- 1.The Principal District Judge,
Erode.
- 2.The Principal District Judge,
Trichy.
- 3.The Judge,
Family Court, Erode.
- 4.The Judge,
Family Court, Trichy.

Akm/21.09.2015 /2p-5c/

TR.CM.P. (MD) No.314 of 2015
and
M.P. (MD) No.1 of 2015
11.09.2015