

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.06.2017

CORAM :

THE HONOURABLE MS. JUSTICE V.M.VELUMANI

Tr.C.M.P. No.306 of 2017
and
CMP.No.5808 of 2017

D.Saranya

... Petitioner

Vs.

E.Kishore Kumar

... Respondent

PRAYER:- Petition has been filed under Section 24 of C.P.C., to withdraw and transfer the F.C.O.P.No.24 of 2017 from the file of the Family Court, Chengalpattu and transfer to the file of the Family Court, Chennai.

For Petitioner : Mr.R.Muniyapparaj
For Respondent : Mr.L.Rajasekar

O R D E R

This petition is filed to withdraw F.C.O.P.No.24 of 2017 from the file of the Family Court, Chengalpattu and transfer to the file of the Family Court, Chennai.

2. The petitioner is the wife and respondent is the husband. The marriage between the petitioner and respondent was conducted on 09.02.2015 as per Hindu rites and customs. In the wedlock, a female child was born to them on 03.11.2015. Due to difference of opinion between them, both the petitioner and the respondent are living separately. The respondent filed F.C.O.P.No.24 of 2017 for restitution of conjugal rights before the Family Court, Chengalpattu.

3. According to the petitioner, she is residing at Chennai with her parents along with her minor child. The distance between Chengalpattu and Chennai is more than 50 kilometres and hence, it is very difficult for her to travel from Chengalpattu to Chennai to attend every hearing before the Family Court, Chengalpattu. Further, the petitioner has no independent income and is depending on her parents for her day-to-day expenses including travelling expenses. Therefore, she prays for

transfer of F.C.O.P.No. 24 of 2017 from the file of the Family Court, Chengalpattu to the file of the Family Court, Chennai.

4. Learned counsel for the respondent submitted that the respondent has no objection to transfer the case as sought for by the petitioner and he has also made an endorsement to that effect.

5. Recording the no objection given by the learned counsel for the respondent, without deciding the issue on merits, the petition in F.C.O.P.No.24 of 2017 is ordered to be withdrawn from the file of the Family Court, Chengalpattu and transferred to the file of the Family Court, Chennai. The Presiding Officer, Family Court, Chengalpattu, is directed to transmit all the records pertaining to F.C.O.P.No.24 of 2017 to the file of the Family Court, Chennai, within a period of two weeks from the date of receipt of a copy of this order. The Presiding Officer, Family Court, Chennai, is directed to dispose of the F.C.O.P.No.24 of 2017 as expeditiously as possible, in any event, not later than nine months from the date of receipt of a copy of this order.

Accordingly, this Transfer Civil Miscellaneous petition is ordered. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

at/gv

To

1.The Family Court,
Chengalpattu.

2.The Family Court,
Chennai.

+1cc to Mr.L.Rajasekar, Advocate SR.No.46001

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GN(14/07/2017)