

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.04.2018

CORAM :

THE HONOURABLE MS. JUSTICE V.M.VELUMANI

Tr.C.M.P. No.313 of 2017  
and C.M.P.No.5903 of 2017

V.Sankar

... Petitioner

Vs.

R.Sivagamasundari

... Respondent

Prayer:- Petition has been filed under Section 24 of C.P.C., to withdraw F.C.O.P.No.384 of 2016 pending on the file of the Family Court, Erode and transfer the same to the file of the Family Court, Thirupur.

For Petitioner : Mr.V.Regunathan  
For Respondent : Mr.S.Karthikeyan

O R D E R

This petition is filed to withdraw F.C.O.P.No.384 of 2016 pending on the file of the Family Court, Erode and transfer the same to the file of the Family Court, Thirupur.

2.The petitioner is the husband and respondent is the wife. The marriage between the petitioner and respondent was conducted on 07.03.2011 at Arul Murugan Temple, Tindal, Erode as per Hindu Rites and Customs. In the wed-lock, a male child was born on 24.12.2014. According to the petitioner, the respondent left the matrimonial home and filed F.C.O.P.No.384 of 2016 on the file of the Family Court, Erode making false allegations against the petitioner. In the circumstances, the petitioner has come out with the present Transfer Civil Miscellaneous Petition to transfer F.C.O.P.No.384 of 2016 from the file of the Family Court, Erode to the file of the Family Court, Thirupur on the ground that he is a practicing Advocate at Erode and he is appearing in all the Courts in Erode, including the Family Court at Erode. The respondent has filed F.C.O.P for divorce on frivolous ground.

3.The learned counsel for both the parties submitted that

the petitioner and respondent have no objection to transfer F.C.O.P.No.384 of 2016 pending on the file of the Family Court, Erode to the Subordinate Court, Kangayam and made an endorsement to that effect.

4.Recording the submission and the endorsement made by the learned counsel for both the parties, the petition in F.C.O.P.No.384 of 2016 is ordered to be withdrawn from the file of the Family Court, Erode and transferred to the file of the Subordinate Court, Kangayam. The learned Family Court Judge, Erode, is directed to transmit all the records pertaining to F.C.O.P.No.384 of 2016 to the file of the Subordinate Court, Kangayam, within a period of two weeks from the date of receipt of a copy of this order.

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

Sd/-  
Assistant Registrar(CS IV)

//True copy//

Sub Assistant Registrar

gsa

To

1.The Family Court Judge,  
Erode.

2.The Subordinate Judge,  
Kangayam.

+1cc to Mr.V.Regunathan, Advocate SR.No.25870

Tr.C.M.P. No.313 of 2017  
and C.M.P.No.5903 of 2017

KJ(CO)  
GN(26/04/2018)