

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED 11.06.2019

CORAM
THE HONOURABLE MR.JUSTICE T.RAJA

Tr. C.M.P. No.327 of 2019
and C.M.P. No.9467 of 2019

V.Yamini

... Petitioner

-vs-

S.Suraj

... Respondent

Prayer: Petition filed under Section 24 of C.P.C to withdraw the F.C.O.P. No.284 of 2018 pending on the file of the Family Court, Erode and transfer the same to Family Courts, Chennai.

For Petitioner : Mr.K.M.Ramesh

For Respondent : No appearance

O R D E R

The Transfer C.M.P. has been filed to transfer the F.C.O.P. No.284 of 2018 pending on the file of the Family Court, Erode to the file of the Family Court, Chennai.

2.Learned counsel appearing for the petitioner would submit that the marriage between the petitioner and the respondent was solemnised on 06.02.2017. According to the learned counsel appearing for the petitioner, the respondent used to ill treat and torture the petitioner verbally and physically at all possible events during her stay in the matrimonial home. While so, the respondent has filed a petition in F.C.O.P. No.284 of 2018 seeking dissolution of marriage before the Family Court, Erode by making false and frivolous allegations against the petitioner. According to the learned counsel appearing for the petitioner, as the petitioner, being a young woman, finds it difficult to travel from Chennai to Erode, since she used to travel along with her family members as escorts and therefore, if the said F.C.O.P. No.284 of 2018 is transferred to the file of the Family Court, Chennai, no prejudice will be caused to the respondent.

3.As per the records maintained by the registry, notice was served on the respondent on 16.05.2019 and private notice has also been taken by the learned counsel for the petitioner, but there is no representation on behalf of the respondent either by engaging counsel or by himself.

4.Taking note of the fact that although service is complete, the respondent has not chosen to appear before this Court, which shows that the respondent has no objection in allowing the petition, this Court is inclined to transfer the F.C.O.P. No.284 of 2018 pending on the file of the Family Court, Erode to the file of the Family Court, Chennai. Accordingly, the Tr. C.M.P. is allowed and the F.C.O.P. No.284 of 2018 pending on the file of the Family Court, Erode, is withdrawn and transferred to the file of the Family Court, Chennai.

5.The Family Court, Chennai is directed to take up the case and dispose of the same expeditiously in the manner known to law. No costs. Consequently, C.M.P. No.9467 of 2019 is closed.

Sd/-
Assistant Registrar(Insp.Cell)

//True Copy//

Sub Assistant Registrar

vga

To

1.The Judge
Family court, Erode

2.The Judge,
Family Court, Chennai.

+1cc to Mr.K.M.Ramesh, Advocate, S.R.No.47766

Tr. C.M.P. No.327 of 2019
and C.M.P. No.9467 of 2019

SKV(CO)

RRS (26/07/2019)

सत्यमेव जयते

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