

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 16.09.2019

CORAM

THE HONOURABLE MRS.JUSTICE V.BHAVANI SUBBAROYAN

Tr.C.M.P.No.486 of 2019
and C.M.P.No.13602 of 2019

Manimala@Manjula

..Petitioner

Vs.

V.Nagarajan

...Respondent

Prayer: The Transfer Civil Miscellaneous Petition is filed under Section 24 of Civil Procedure Code, to withdraw the petition in FCOP. No.11 of 2019 on the file of the Family Court, Chengalpattu and transfer the same to the file of the Family Court, Chennai.

For Petitioner : Mr.Venkataswamy Babu

For Respondent : Mr.S.Baratha Ambethkar

O R D E R

This petition has been filed to withdraw the petition in FCOP. No.11 of 2019 on the file of the Family Court, Chengalpattu and transfer the same to the file of the Family Court, Chennai.

2. The case of the petitioner is that the marriage between the petitioner and the respondent was solemnised on 30.01.2012 at Lakshmi Balaraman Marriage Hall, VV Koil Street, Thiruvaleeswarar Nagar, Thirumangalam, Chennai as per Hindu Rites and Customs. After marriage, the petitioner was living in matrimonial house. In the wedlock, one female child was born. The respondent had illicit relationship with one lady. Due to which, there was a misunderstanding.

3. The respondent has filed a divorce petition in FCOP. No.11 of 2019 before the Family Court, Chengalpattu and the petitioner has filed a petition in HMOP. No.1070 of 2019 for Restitution of Conjugal Rights before the IV Additional Family Court, Chennai.

4. The learned counsel for the petitioner would submit that the petitioner along with her child is now residing with her aged parents at West Mogappair, Chennai. The petitioner's father is the only sole breadwinner of the family and there is no other some income for her. It is very difficult for her to travel from Chennai to Chengalpattu to attend the Court proceedings. Hence, she prays to transfer the case from Chengalpattu to Chennai.

5. The learned counsel for the respondent would submit that the respondent has no objection to transfer the case.

6. Heard the learned counsel for the petitioner as well as the respondent. Perused the materials available on record.

7. Considering the facts and circumstances of the case, this Court is of the view that the petition in FCOP. No.11 of 2019 on the file of the Family Court would be withdrawn and the same to be transferred to the Family Court, Chennai.

8. Accordingly, this petition is allowed and FCOP. No.11 of 2019 on the file of the Family Court, Chengalpattu is withdrawn and the same to be transferred to the Family Court, Chennai. No Costs. Consequently, the connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CJ conf)

//True Copy//

Sub Assistant Registrar

rli

To

1. The Judge Family court, Chengalpattu.
2. The Judge Family Court, Chennai.

+1cc to Mr.Venkataswamy Babu, Advocate SR.79428

+1cc to Mr.S.Baratha Ambethkar, Advocate SR.79063

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SS(CO)
CB(05/11/2019)