

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.01.2020

CORAM:

THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN

Transfer C.M.P.No.10 of 2020

M.Aruna

...Petitioner

vs.

Dr.J.Muthu Vignesh

...Respondent

Tr.C.M.P. filed under Section 24 of C.P.C., to withdraw F.C.O.P.No.401 of 2019 from the file of the Family Court, Erode and to transfer the same to the file of the Family Court, Coimbatore having competent jurisdiction.

For Petitioner : Mr.S.Sriram

O R D E R

The Petitioner has come up with this Petition seeking to withdraw F.C.O.P.No.401 of 2019 from the file of the Family Court, Erode and to transfer the same to the file of the Family Court at Coimbatore, on the grounds that, she is unable to travel all the way from Coimbatore to attend the hearings of the case on the file of the Family Court at Erode, along with her two female children and that, the Respondent/husband is an influential person.

2. It is an admitted fact that, the marriage between the parties took place in Erode and that, they were living together at Erode. Merely based on the verbal averment that, the Respondent/husband is an influential person, this Court cannot order transfer of the proceedings. That apart, when several transportation facilities are available, more particularly, when there are frequent trains from Coimbatore to Erode, it is not justifiable on the part of the Petitioner to seek transfer of the proceedings in F.C.O.P.No.401 of 2019.

3. In view of the above, the relief sought by the Petitioner is rejected. The Family Court, Erode, is expected to conclude the trial in F.C.O.P.No.401 of 2019, as expeditiously as possible, without adjourning the matter beyond 45 working days at any point of time, to bring the issue to a logical end.

4. In fine, the Transfer Civil Miscellaneous Petition is dismissed. No costs. Consequently, connected C.M.P.No.412 of 2020 is closed.

Sd/-

Assistant Registrar (CO)

//True Copy//

Sub Assistant Registrar

(aeb)

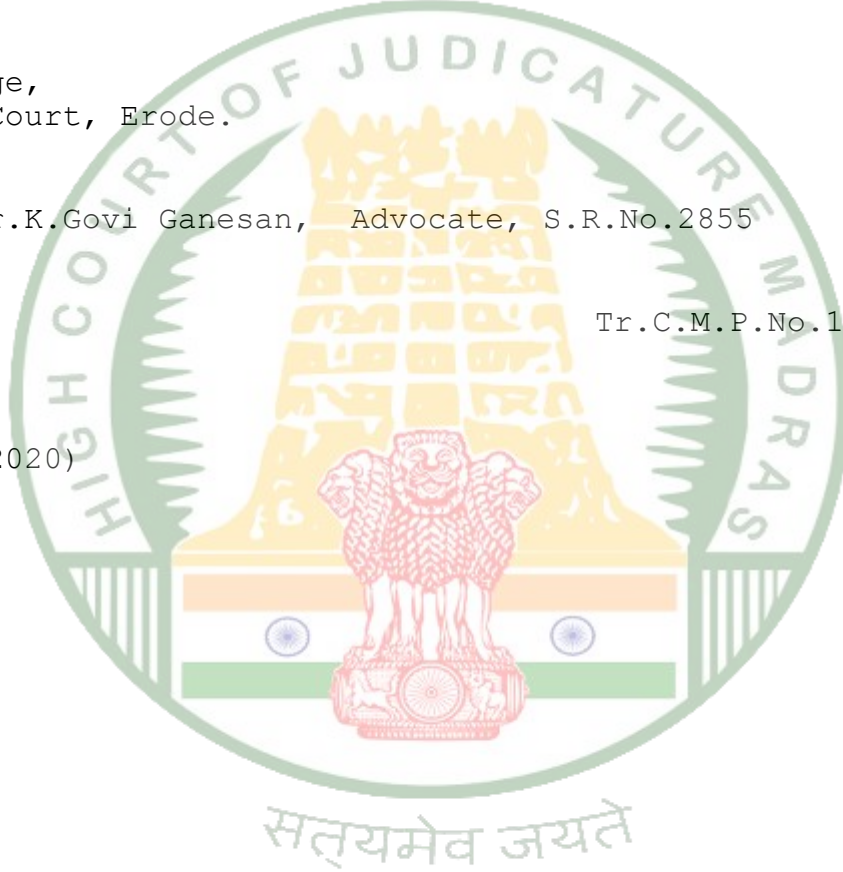
To :

1.The Judge,
Family Court, Erode.

+1cc to Mr.K.Govi Ganesan, Advocate, S.R.No.2855

Tr.C.M.P.No.10 of 2020

SSI (CO)
GN(14/02/2020)



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