

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 28.10.2020

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

Tr. C.M.P. No.450 of 2020 and
C.M.P. No.10181 of 2020

S.Anuradha

... Petitioner

-vs-

S.Saravanan

... Respondent

Prayer: Petition filed under Section 24 of C.P.C to withdraw the case in F.C.O.P. No.111 of 2020 from the file of the Family Court, Vellore and transfer it to any one of the Family Courts at Chennai.

For Petitioner : Mr.Sundaram for
Mr.S.Thirumavalavan
For Respondent : Mr.R.Venkatraman

O R D E R

The Transfer C.M.P. has been filed by the petitioner to withdraw and transfer the F.C.O.P. No.111 of 2020 pending on the file of the Family Court, Vellore to the file of any one of the Family Courts at Chennai.

2.Learned counsel appearing for the petitioner would submit that after solemnisation of marriage on 09.02.1998 at Vaniga Vysya Kalyana Mandapam, Vellore as per the Hindu rights and customs, the petitioner resigned her job from SRMC Hospital as Ward Receptionist. Learned counsel appearing for the petitioner would further submit that at the time of marriage, the respondent informed the petitioner that he was a partner in Sri Siva Sakthi Associates and was earning sufficiently to run the family. Later on, it was noticed that the respondent's family has given a false information, but, the respondent was working in the said finance company and earning a sum of Rs.700/- per month. Since the income received by the respondent was not sufficient enough to lead a decent life to cope with the family, the petitioner joined Sri Ramachandra Medical College for the welfare of the family on the request of the respondent. Since there was a difference of opinion due to frivolous misunderstanding, the respondent filed F.C.O.P. No.111 of 2020

seeking divorce by making false allegations against the petitioner before the Family Court, Vellore. As the petitioner is working in private institution and her daughter is pursuing education in Chennai, she finds it difficult to undertake long journey from Chennai to Vellore.

3.Learned counsel appearing for the respondent would submit that since the respondent is having some health issues, it is difficult for him to undertake long journey from Vellore to Chennai.

4.But this Court finds no justification for raising such an objection. Since the petitioner is residing in Chennai along with her daughter, aged about 21 years and employed in private institution, it will be difficult for the petitioner to undertake long journey from Chennai to Vellore. Therefore, this Court is inclined to transfer the F.C.O.P. No.111 of 2020 pending on the file of the Family Court, Vellore to the file of the Family Court, Chennai. Accordingly, the Tr. C.M.P. is allowed and the F.C.O.P. No.111 of 2020 pending on the file of the Family Court, Vellore is withdrawn and transferred to the file of the Family Court, Chennai for expeditious disposal. Consequently, C.M.P. No.10181 of 2020 is closed. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

vga
To
1.The Judge,
The Family Court,
Vellore.

2.The Judge,
The Family Court at Chennai.

+1 cc to M/s.K.S.karthik raja, Advocate Sr.No. 35063
+1 cc to M/s. S.Thirumavalavan, Advocate Sr.No. 34992

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C.M.P. No.10181 of 2020

BR (CO)
RMP (01/12/2020)