

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.02.2021

CORAM

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

Tr.C.M.P.No.10 of 2021
and
C.M.P.No.395 of 2021

Mrs.A.Carmeen Sindiya

..Petitioner

vs.

Mr.Alexis Raj

..Respondent

PRAYER : Transfer CMP is filed under Section 24 of the Civil Procedure Code to withdraw I.D.O.P.No.281 of 2020 from the file of Learned Family Court Judge at Tiruchirapalli and transfer the same to the file of the Family Court at Erode.

For Petitioner : Mr.A.Saravanan

For Respondent : No appearance

O R D E R

The petition for transfer is filed to transfer I.D.O.P.No.281 of 2020 from Family Court, Tiruchirapalli to the Family Court, Erode.

2. The marriage between the petitioner and the respondent was solemnized on 22.11.2015 at St.Mary's Cathedral Church, Melapudur, Trichy as per the Christian Rites and Customs.

3. The petitioner and the respondent started their Matrimonial life happily and on account of certain difference of opinion, the petitioner states that she was forced to leave the Matrimonial home. Out of the wedlock, a female child born and the child is now with the petitioner/wife. It is contended that the respondent filed I.D.O.P.No.281 of 2020 before the Family Court at Trichy for restitution of conjugal rights under Section 32 of the Indian Divorce Act.

4. The petitioner states that now she is residing with her aged parents and she had already resigned her job. She has no independent source of income and she has to look after the two year old child.

5. Under these circumstances, she is not in a position to travel and contest the case filed by the respondent before the Family Court at Trichy.

6. In view of the facts and circumstances, the I.D.O.P.No.281 of 2020 pending on the file of the Family Court, Tiruchirapalli stands transferred to the Family Court, Erode.

7. Accordingly, this Transfer Civil Miscellaneous Petition No.10 of 2021 stands allowed and I.D.O.P.No.281 of 2020 pending on the file of the Family Court, Tiruchirapalli, is directed to be transferred to the Family Court, Erode. However, there shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS-)

//True Copy//

Sub Assistant Registrar

Kak

To

1.The Judge,
Family Court,
Tiruchirapalli.

2.The Judge,
Family Court,
Erode.

+1cc to Mr.A.Saravanan, Advocate, S.R.No.7157

सत्यमेव जयते

Tr.CMP No.10 of 2021

SSD(CO)
KKV/01/03/2021

WEB COPY