

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 31.03.2021

CORAM

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

Tr.C.M.P.No.226 of 2021

C.M.P.No.6359 of 2021

Sudhadevi Sahana

...Petitioner/Respondent

.vs.

S.Vishnu

...Respondent/Petitioner

PRAYER : Transfer CMP is filed under Section 24 of the Civil Procedure Code, to withdraw and transfer the petition for divorce in F.C.O.P.No.165 of 2020 pending on the file of the Family Court, Erode and transfer the same to the Family Court, Namakkal.

For Petitioner : Mr.C.Jagadish

For Respondent : Mr.P.Paramasivadoss

O R D E R

The Transfer Civil Miscellaneous Petition is filed to withdraw and transfer the petition for divorce in F.C.O.P.No.165 of 2020 pending on the file of the Family Court, Erode and transfer the same to the Family Court, Namakkal.

2. The marriage between the petitioner and the respondent was solemnized on 13.11.2016 as per the Hindu Rites and Customs. The parties are living separately on account of misunderstanding.

3. The learned counsel for the petitioner states that the respondent filed F.C.O.P.No.165 of 2020 to nullify the marriage. The petitioner states that now she is residing at Namakkal and it is contended that the jurisdiction of the Court to try the petition as per Section 19(i) of the Hindu Marriage Act is the place where marriage was solemnized. In the present case, the marriage was solemnized at Kumarapalayam, Tiruchengode Taluk, Namakkal District.

4. Mr.P.Paramasivadoss, the learned counsel appearing for the respondent made a submission that the respondent has no objection for transfer of the case.

5. In view of the submission that the respondent has no objection, the petition for transfer is to be considered. Accordingly, F.C.O.P.No.165 of 2020 pending on the file of the Family Court, Erode stands transferred to the Family Court, Namakkal and consequently, the Transfer Civil Miscellaneous petition stands allowed. No costs. Connected miscellaneous petition is also closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

ssb

To

1.The Judge,
Family Court,
Erode

2.The Judge,
Family Court,
Namakkal

+1cc to Mr.C.Jagadish, Advocate, S.R.No.21189

+1cc to Mr.P.Paramasivadoss, Advocate, S.R.No.21190

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NMI (CO)
RN(10/05/2021)