



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.03.2022

CORAM

THE HON'BLE Ms.JUSTICE P.T.ASHA

Tr.C.M.P.No.117 of 2022
and
C.M.P.No.2150 of 2022

Mrs.S.Gowri

... Petitioner

Vs

Mr.Meiyyarasu @ Gopi

... Respondent

PRAYER: Transfer Civil Miscellaneous Petition is filed under Section 24 of Civil Procedure Code, to withdraw the H.M.O.P.No.417 of 2021 on the file of the learned Family Court Judge, Erode and to transfer the same to the learned Subordinate Judge Court, Palladam.

For Petitioner : Mr.S.Nagarajan

For Respondent : Served - No appearance

O R D E R

This Transfer Civil Miscellaneous Petition is filed seeking to withdraw the H.M.O.P.No.417 of 2021 on the file of the learned Family Court Judge, Erode and to transfer the same to the learned Subordinate Judge Court, Palladam.

2. The petitioner/wife has also filed a petition for divorce in H.M.O.P.No.91 of 2021 on the file of the learned Subordinate Judge, Palladam, which is pending. Thereafter, the respondent/husband has filed the H.M.O.P.No.417 of 2021, before the Family Court Judge, Erode for Restitution of Conjugal Rights.

3. The Transfer is sought for by the petitioner/wife on the ground that she is residing and working in a Garments Company at Palladam. It is her grievance that she finds it very difficult to travel 5 hours alone from Palladam to Erode. Further, the respondent/husband is not paying maintenance to her.

4. Heard the learned counsel for the petitioner and perused the materials available on record. The respondent, though served,



has not entered appearance.

5. Considering the reasons given and the fact that the wife is residing and working within the Jurisdiction of the Subordinate Court, Palladam, this Court is of the considered view that the request for transfer should be allowed.

6. Accordingly, the transfer Civil Miscellaneous Petition is allowed and H.M.O.P.No.417 of 2021 pending on the file of the learned learned Family Court Judge, Erode is withdrawn and transferred to the file of the learned Subordinate Judge Court, Palladam. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar (CS-III)

//True Copy//

Sub Assistant Registrar

ssn

To

1. The Family Court Judge, Erode.
2. The Subordinate Judge, Palladam.
3. The Section Officer, V.R.Section,
High Court, Madras.

+lcc to Mr.S.Nagarajan, Advocate, S.R.No.18402

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GPL (CO)
SB(05/04/2022)