



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.03.2022

CORAM

THE HONOURABLE MS.JUSTICE P.T.ASHA

TR.C.M.P.NO.161 OF 2022

AND

C.M.P.NO.3113 OF 2022

K.Suseela

... Petitioner/Respondent

-Vs-

R.Krishnaraju

... Respondent/Petitioner

PRAYER: Petition filed under Section 24 of the Code of Civil Procedure, to withdraw F.C.O.P.No.487 of 2021 on the file of Family Court, Erode and transfer it to the file of the Family Court, Salem.

For Petitioner : Mr.R.Babu

For Respondent : Private notice served
- No appearance

ORDER

The Transfer Civil Miscellaneous Petition has been filed by the wife seeking transfer of F.C.O.P.No.487 of 2021 filed by the husband for restitution of conjugal rights before the Family Court, Erode, to the file of the Family Court, Salem.

2.The petitioner would contend that marriage between herself and the respondent had been solemnized on 18.02.2010 at Kongu Vellalar Thirumana Mandapam, Pallipalayam, Namakkal District, as per Hindu rites and customs. The children born to them are studying in Indian Public School at Erode. The respondent started quarreling with the petitioner and had also attacked her. Hence, the petitioner had gone back to her parental home at Salem. Thereafter, the respondent filed F.C.O.P.No.487 of 2021 before the Family Court, Erode, for restitution of conjugal rights.



3.The reasons for seeking the transfer are as follows:

"1.The petitioner is residing at Salem in her parent's house with her children.

2.The distance between Salem and Erode is far and she cannot travel each time to attend the hearings as the mother is before a Family Court.

3.The respondent/husband and his family members are influential persons in Erode and Namakkal."

4.The respondent/husband though served has not entered appearance either in person or through pleader.

5.Heard the learned counsel appearing for the Petitioner and perused the papers.

Considering the fact that sufficient reasons have been given and the petitioner wife is residing at Salem in her parent's house with her children which falls within the Jurisdiction of the Family Court, Salem, the Transfer Civil Miscellaneous Petition is allowed. F.C.O.P.No.487 of 2021 pending on the file of the Family Court, Erode, is withdrawn and transferred to the file of the Family Court, Salem. Consequently, connected Civil Miscellaneous Petition is closed. No costs.

Sd/-

Assistant Registrar(CS-III)

//True Copy//

Sub Assistant Registrar

mps

To

1. The Judge, Family Court, Erode.
2. The Judge, Family Court, Salem.

+1cc to Mr.B.Kumarasamy, Advocate, S.R.No.21454

Tr.C.M.P.No.161 of 2022
and
C.M.P.No.3113 of 2022

GPL (CO)
RLP (10/06/2022)