



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.04.2022

C O R A M

THE HONOURABLE MS.JUSTICE P.T.ASHA

TR. C.M.P. NO.231 OF 2022
AND C.M.P. NO.4714 OF 2022

Nivedhitha @ Subbulakshmi

... Petitioner

Versus

Srinath

...Respondent

Prayer:

Transfer Civil Miscellaneous Petition filed under Section 24 of the Civil Procedure Code to withdraw the case in H.M.O.P.No.797 of 2021 pending on the file of the Family Court, Coimbatore and transfer the same to the Family Court at Chengalpet.

For Petitioner	...	Mr.S.Santhosh Kumar
For Respondent	...	No Appearance

O R D E R

This petition is filed by the wife seeking transfer of H.M.O.P.No.797 of 2021 filed by her husband for restitution of conjugal rights, pending on the file of the Family Court, Coimbatore to the file of the Family Court, Chengalpet.

2. The petitioner seeks transfer on the ground that she is presently residing with her parents at Chengalpet, which falls within the jurisdiction of the Family Court at Chengalpet.

3. The respondent, admittedly, is residing in U.S.A, which is evident from the facts that summons has been served on U.S. address.

4. Therefore, considering the fact that the wife is



residing at Chengalpet and the matter is pending before the Family Court at Chengalpet, where her presence is mandatory, the Transfer Petition should be allowed as prayed for.

5. Heard the learned counsel for the petitioner and perused the materials available on record. The respondent, though served, has not entered appearance before this Court.

6. Taking into account the grievances expressed by the learned counsel for the petitioner, the Transfer Civil Miscellaneous Petition is allowed and H.M.O.P.No.797 of 2021 pending on the file of the Family Court, Coimbatore is withdrawn and it shall stand transferred to the file of the Family Court, Chengalpet. No costs. Consequently, connected Civil Miscellaneous Petition is closed.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

srn

To

1. The Judge Family Court, Combatore.
2. The Judge, Family Court, Chengalpet.
3. The Section Officer,
VR Section, Madras High Court,
Chennai.

+2ccs to Mr.K.Azhaguraman, Advocate, S.R.No.28837

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MG(CO)
PM/19/05/2022