



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.04.2022

C O R A M

THE HONOURABLE Ms.JUSTICE P.T.ASHA

Tr.C.M.P.No.431 of 2021  
and  
C.M.P.No.10936 of 2021

M.Preethi

.. Petitioner

-Vs.-

S.Suresh

... Respondent

Prayer: Transfer Civil Miscellaneous Petitions filed under Section 24 of C.P.C praying to withdraw the proceedings in F.C.O.P.No.233 of 2020 on the file of the Family Court, Erode and transfer the same to the Family Court, Krishnagiri.

For petitioner : Mr.A.Bharani Chander  
for Mr.P.G.Thiyagu

For Respondent : Ms.K.Udayaselvi

ORDER

The petitioner-wife has filed this transfer petition seeking transfer of the proceedings for divorce filed by the husband in F.C.O.P.No.233 of 2020 on the file of the Family Court, Erode to the file of the Family Court, Krishnagiri.

2. The wife has sought this transfer on the following grounds:

a) She is residing in Krishnagiri along with her one year old child. It would be difficult for her to travel 155 kilometers along with her child to attend the hearings at Erode and she could not afford for the travelling expenses for every date of hearing of the case.

b) She fears for his life, if she comes to Erode, since the respondent-husband and his family members are highly influential persons in Erode.

3. Heard the learned counsel for the petitioner and the learned counsel for the respondent and perused the materials available on record.



4. Both the learned counsels, however, requested that when the matter is transferred to the file of the Family Court, Krishnagiri, the learned Judge, to whom F.C.O.P.No.233 of 2020 is assigned, may first attempt to mediate between the parties and in case mediation fails, the Court can proceed to hear F.C.O.P.

5. Therefore, the Transfer Civil Miscellaneous Petition is allowed. F.C.O.P.No.233 of 2020 pending on the file of the Family Court, Erode shall stand withdrawn and transferred to the file of the Family Court, Krishnagiri. The learned Judge, to whom F.C.O.P.No.233 of 2020 is assigned, shall first make an attempt to mediate between the parties and in case mediation fails, the Court can proceed to hear F.C.O.P. Consequently, connected miscellaneous petition is closed.

Sd/-  
Assistant Registrar(CS-VIII)

//True Copy//

Sub Assistant Registrar

srn

To

1.The Judge, Family Court, Erode

2.The Judge, Family Court, Krishnagiri.

+lcc to Mr.P.G.Thiyagu, Advocate, S.R.No.23555

+lcc to Mr.K.Udayaselvi, Advocate, S.R.No.23554

Tr.C.M.P.No.431 of 2021  
and C.M.P.No.10936 of 2021

GPL(CO)  
SB(25/04/2022)