



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.04.2022

CORAM

THE HONOURABLE MS. JUSTICE P.T.ASHA

Tr.CMP. No.684 of 2021
and
C.M.P.No.17046 of 2021

S.Pannaammal

... Petitioner

Vs

P.Sivanandam

... Respondent

PRAYER: Petition filed under Section 24 of the Code of Civil Procedure, to withdraw and transfer the FCOP No.264 of 2021 pending on the file of the Family Court, Vellore to the file of the Sub Court Sathyamangalam.

For Petitioner : Mr.K.A.Mariappan
For Respondent : Mr.A.Venkatesan

ORDER

The respondent/wife in a petition for divorce filed by the husband on the file of the Family Court, Vellore in F.C.O.P.No.264 of 2021 is the petitioner before this Court. The petitioner seeks to withdraw the above proceedings pending on the file of the Family Court, Vellore and transfer the same to the file of the Sub Court, Sathyamangalam.

2. The petitioner's reasons for seeking transfer is on the ground that the very institution of the case at Vellore according to the petitioner is without jurisdiction, since the marriage took place at Erode and the parties had last resided together at Thoppu Colony, Varathampalayam, Sathyamangalam, Erode, which comes within the jurisdiction of the Sub Court at Sathyamangalam. The petitioner would further submit that she is doing odd jobs at Sathyamangalam, looking after her children, and parents and also the parents of the respondent.

3.Heard the learned counsel.



4. Considering the fact that sufficient reasons have been given by the petitioner for seeking the transfer and also no prejudice would be caused to the respondent/husband since the matter is only before the Sub-Court where the presence of party for every hearing is not mandatory the petition is allowed.

5. In the light of the above, the Transfer Civil Miscellaneous Petition is allowed and F.C.O.P.No.264 of 2021, pending on the file of the Family Court, Vellore, is withdrawn and transferred to the file of the Sub Court Sathyamangalam. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar(CS-VI)

// True Copy //

Sub Assistant Registrar

shr

To

1.The Family Court, Vellore.

2.The Sub Court Sathyamangalam.

+1cc to Mr.K.A.Mariappan, Advocate SR.No.24244

Tr.CMP. No.684 of 2021
and
C.M.P.No.17046 of 2021

RK(CO)
CB(29/04/2022)