



Tr.C.M.P.No.796 of 2023
and C.M.P.No.19286 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.11.2023

CORAM:

THE HON'BLE MRS.JUSTICE T.V.THAMILSELVI

Tr.C.M.P.No. 796 of 2023
and
C.M.P.No.19286 of 2023

Janapriya

... Petitioner

Vs.

K.Saravanan

... Respondent

PRAYER: Transfer Civil Miscellaneous Petition is filed under Section 24 of C.P.C., praying to withdraw the S.M.O.P.No.119 of 2023 pending on the file of learned Principal District Judge, Thiruvallur and to transfer the same to the learned Family Court, Coimbatore so as to try along with S.M.O.P.No.288 of 2023.

For Petitioner : Mr.N.Ponraj

For Respondent : Left India



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ORDER

The petitioner/wife seeks transfer of S.M.O.P.No.119 of 2023 pending on the file of learned Principal District Judge, Thiruvallur to the file of Family Court, Coimbatore. The petitioner / wife seeks transfer of the proceedings before the Family Court, Coimbatore on the ground that she is living at Coimbatore with two children and she is not able to attend the court hearings by traveling 400 kms from Coimbatore.

2. The learned counsel for the petitioner submitted that the marriage between the respondent and the petitioner was solemnized on 01.06.2012 at Bhagyalakshmi Thirumanamandapam as per Hindu Rites and Customs, out of the wedlock, one male child and one female child were born to them. He further submitted that the petitioner has filed a petition for restitution of conjugal rights in S.M.O.P.No.288 of 2023 before the learned Principal District Judge, Coimbatore. Thereafter, the respondent has filed a petition for divorce in S.M.O.P.No.119 of 2023 on the file of learned Principal District Judge, Thiruvallur which is 400 kms away from her residence. As a



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lady, the petitioner finds it difficult to undertake long travel to Thiruvallur to attend the Court proceedings. Hence, the petitioner has filed this TR.C.M.P.No.796 of 2023 to withdraw and transfer the S.M.O.P.No.119 of 2023 from the file of learned Principal District Judge, Thiruvallur to the file of Family Court, Coimbatore.

3. Heard the learned counsel for the petitioner. Though notice served on the respondent, the same has been returned with an endorsement “Left India”.

4. Considering the facts and circumstances and the reason assigned by the petitioner is justifiable, this Court is inclined to transfer the S.M.O.P.No.119 of 2023 to the Family Court, Coimbatore.

5. In view of the above, S.M.O.P.No.119 of 2023 is withdrawn from the file of the learned Principal District Judge, Thiruvallur and transferred to the file of Family Court, Coimbatore to be disposed of in accordance with law and the learned Principal District Judge, Thiruvallur is directed to send entire records to the learned Family Judge, Coimbatore, within a period of two weeks from the date of receipt of a copy of this order.



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T.V.THAMILSELVI, J.
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6. Accordingly, this Transfer Civil Miscellaneous Petition is allowed.

No costs. Consequently, connected miscellaneous petition is closed.

7. However, the learned Family Judge, Coimbatore is directed to issue notice to the correct address of the respondent and dispose of the case as early as possible from the date of this order.

20.11.2023

Index : Yes / No

Neutral Citation: Yes / No

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To

1. The learned Principal District Judge, Thiruvallur.
2. The learned Family Judge, Coimbatore.

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