



Tr.C.M.P.No.869 of 2023
and C.M.P.No.20637 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 31.10.2023

CORAM:

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

Tr.C.M.P.No. 869 of 2023

and

C.M.P.No. 20637 of 2023

S. Selvi

... Petitioner

Vs.

P. Arunkumar

... Respondent

PRAYER: Transfer Civil Miscellaneous Petition is filed under Section 24 of C.P.C., praying to withdraw the case in F.C.O.P.No.408 of 2023 on the file of the learned Family Judge, Erode and transfer the same to the file of learned Family Judge, Salem.

For Petitioner : Mr. Mahasree Thangaraj

For Respondent : No Appearance



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ORDER

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The petitioner / wife seeks transfer of F.C.O.P.No. 408 of 2023 pending on the file of Family Judge, Erode to the Family Judge, Salem. The petitioner / wife seeks transfer of the proceedings before the Family Judge, Salem on the ground that she is living at Salem and she is not able to attend the Court hearings by travelling 69 kms.

2. The learned counsel for the petitioner submits that the marriage between the respondent and the petitioner was solemnized on 15.11.2021 at Arulmigu Nageswarar Temple. Out of the wedlock, one male child born to them but unfortunately, the infant died within six weeks of birth. Further submitted that now the petitioner is living with her parents home and it is difficult to travel nearly 62 kms to attend the Court proceedings at Erode. Hence, she prays to transfer the FCOP.No.408 of 2023, to the Family Judge, Salem.



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3. Though notice was served to the respondent and name has also been printed in the cause list, none appeared on behalf of him.

4. Considering the facts and circumstances and the reason assigned by the petitioner is justifiable, this Court is inclined to transfer the F.C.O.P.No.408 of 2023 to the Family Court, Salem.

5. In view of the above, F.C.O.P.No.408 of 2022 is withdrawn from the file of the Family Judge, Erode and transferred to the file of the Family Judge, Salem to be disposed of in accordance with law and the Family Judge, Erode is directed to send entire records to the Family Judge, Salem, within a period of two weeks from the date of receipt of a copy of this order.

6. Accordingly, this Transfer Civil Miscellaneous Petition is allowed. No costs. Consequently, connected miscellaneous petition is closed.



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7. However, the Family Court, Salem is directed to issue notice to the respondent and then proceed with the matter as early as possible, preferably within a period of six months from the date of this order.

31.10.2023

Index : Yes / No

Neutral Citation: Yes / No

AT

To

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



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T.V.THAMILSELVI, J.

AT

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