



Tr CMP.Nos.278 & 279 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.09.2024

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THE HON'BLE MR.JUSTICE V.LAKSHMINARAYANAN

Tr CMP.Nos.278 & 279 of 2024 &  
CMP.Nos.5775 & 5783 of 2024

S.Priya : Petitioner in both petitions  
versus

M.Franklin : Respondent in both petitions

Common Prayer: Petitions filed under Section 24 of the Code of Civil Procedure to withdraw the petitions in IDOP.No.1257 of 2023 & IDOP No.1388 of 2023 from the file of the Family Court, Coimbatore and to transfer the same to the Family Court, Tiruppur.

For Petitioner  
in both petitions : Mr.J.Franklin

For Respondent  
in both petitions : Ms.Parameswari

COMMON ORDER

These two transfer petitions has been preferred seeking transfer of proceedings which are pending in IDOP.1257 of 2023 and IDOP.No.1388 of



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2023 from the file of the Family Court at Coimbatore to the file of the Family Court at Tiruppur.

2. There is no dispute in the relationship between the parties. The petitioner/wife married the respondent on 26.04.2021 at Annur in Coimbatore. From the wedlock, a female child was born on 11.01.2022. Thereafter, due to disputes and differences, the parties have separated.

3. Claiming that the respondent/husband is not maintaining her, she has moved an application in M.C.No.165 of 2023 on the file of the Family Court at Coimbatore. She also filed IDOP.No.1257 of 2023 for restitution of conjugal rights. After presentation of the application for restitution of conjugal rights, the husband has initiated a proceeding for divorce in IDOP.No.1388 of 2023.

4. The petitioner/wife pleads that she has now moved her residence to Kitchampalayam Pudur at Tiruppur. She states that she is unable to travel from Tiruppur to Coimbatore, a distance of about 100 km in order to



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conduct the litigations at Coimbatore. She states that since she has to take care of her two year old child, she is not in a position to leave the child at home and travel alone. She would plead that she finds it difficult to travel with the child to Coimbatore putting her in a piquant situation. Hence, these transfer petitions.

5. Notice was ordered in these applications on 13.03.2024. The respondent has been served and there has been no representation on his behalf on 23.08.2024 and 02.09.2024 (today).

6. Taking into consideration the inconvenience, both financial and physical, expressed by the wife, I am inclined to accept the transfer petitions. The proceedings in IDOP.No.1257 of 2023 and IDOP.No.1388 of 2023 are withdrawn from the file of the Family Court at Coimbatore and are transferred to the file of the Family Court at Tiruppur. The transfer petitions are allowed. No costs. Consequently, the connected miscellaneous petitions are closed.

**02.09.2024**

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Index : Yes/No  
Speaking Order/Non-speaking order  
Neutral Citation : Yes/No



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**V.LAKSHMINARAYANAN, J.**

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To

1.The Family Court at Coimbatore

2.The Family Court at Tiruppur.

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