



Tr.CMP No.32 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated 22.02.2024

CORAM:

THE HONOURABLE MR.JUSTICE V.SIVAGNANAM

Tr.Cmp No.32 of 2024 and
CMP No.860 of 2024

M.Nandhini

... Petitioner

Vs.

M.Venkatachalam,
rep. Through his power agent/father
Muthuswamy,
door No.10/60, Thammanayakkanur,
Thirumalaipatti Village,
Sethamangalam Taluk,
Namakkal District.

... Respondent

Prayer: Transfer civil miscellaneous petition filed under Section 24 of CPC to withdraw and transfer FC OP No.224/2023 from the file of the Family Court, Namakkal to the file of the Family Court, Erode.

For Petitioner : Mr. T.C.Gopalakrishnan

For respondent : Mr.W.Camyles Gandhi



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ORDER

This Transfer civil miscellaneous petition has been filed to withdraw and transfer FCOP No.224/2023 from the file of the Family Court, Namakkal to the file of the Family Court, Erode.

2. The petitioner herein is the wife of the respondent. The respondent herein has filed the above FCOP No.224/2023 to dissolve the marriage solemnized between him and the petitioner. According to the petitioner, on behalf of the respondent, his father has filed the divorce petition in a hurried manner and she believed that the respondent's family members are conspiring to collapse their marriage life. Hence, she wants the respondent's presence to solve the problem and for the same, the case may be transferred to the Family Court, Erode.

3. The learned counsel for the respondent has submitted that the respondent has no objection for transferring the case either to the Family Court, Salem or to the Family Court, Gopichettipalayam, instead of Family Court, Erode.



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4. In reply to the same, the learned counsel for the petitioner submitted that, the petitioner has also no objection to transfer the case to the Family Court, Salem.

5. In view of the submission made by the learned counsel for the respondent and also considering the fact that the reason assigned by the petitioner is justifiable, this Court is inclined to transfer the case to the Family Court, Salem.

6. Accordingly, FCOP No.224/2023 is hereby directed to be withdrawn from the file of the Family Court, Namakkal and transferred to the Family Court Salem. The Judge, Family Court, Namakkal is directed to send the entire records to the Family Court, Salem within a period of two weeks from the date of receipt of a copy of this order and on receiving the same, the learned Judge, Family Court, Salem is directed to issue notice to both parties and thereafter, dispose of the case on merits as early as possible.



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7. With the above direction, the Transfer Civil Miscellaneous Petition is disposed of. No costs. Consequently, the connected miscellaneous petition is closed.

22.02.2024

Index: Yes/No
Internet: Yes/No
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To

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



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V.SIVAGNANAM, J.

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