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Tr. C.M.P.No. 144 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 09.04.2025

CORAM

THE HONOURABLE Ms. JUSTICE P.T. ASHA

Tr. C.M.P.No. 144 of 2024

&

C.M.P. No. 2986 of 2024

Sowmya @ Sowmya Rajeshwari

...Petitioner

Vs.

1.J.Susin

2.Chandran @ Balachandran

...Respondents

Prayer: Transfer Petition is filed under Section 24 of the CPC, to withdraw and transfer the divorce petition in FCOP.No.22 of 2024 pending on the file of the Family Court, Erode to the file of the Family Court, Coimbatore.

For Petitioner : Mr. G.M.Ananthakumar

For Respondent 1: Mr. S.Sathya Raj

For Respondent 2: No Appearance.



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ORDER

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The 1st respondent in FCOP.No.22 of 2024 on the file of the Family Court, Erode, is the petitioner before this Court seeking to transfer the aforesaid FCOP from Family Court, Erode to the file of the Family Court, Coimbatore.

2. It is the case of the petitioner that initially her marriage with the 1st respondent herein was smooth. Thereafter, the 1st respondent and his family had incurred heavy debts in their business. The petitioner herein had come forward to extend financial assistance to a sum over Rs.7,44,73325/- by availing money from finance company and also from her father's business as well as herself.

3. The petitioner would submit that she was a divorcee with 12 year old child when she had married the 1st respondent. After helping him financially all of a sudden in the month of January 2023 the 1st respondent's attitude towards the petitioner has undergone a total



change and had gone to the extent of he filing a criminal case against her.

4. The petitioner would submit that though she is a permanent resident of Erode she was forced to shift only on account of the criminal cases against her. Now she is residing at Coimbatore and her 1st son is studying in Good Shepherd School at Udagamandalam. Therefore, she would seek for transfer.

5. The learned counsel appearing for the 1st respondent would submit that the petitioner is still living at Erode and her contention that she is living in Coimbatore is absolutely false. To prove the same they have produced the Aadhar card of the petitioner.

6. However, the learned counsel for the petitioner would reiterate that the petitioner is living in Coimbatore and to prove the same they have produced the sale deed dated 21.04.2021 in and by which she has purchased a residential flat apartment at Uppilipalayam Village,



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Coimbatore, where the counsel would submit that the petitioner is now residing.

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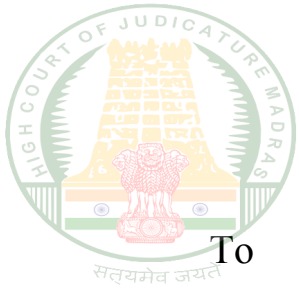
7. The documents which have now been produced on the side of the respondents are prior to the filing of the transfer petition. In the petition the petitioner has shown her address as that of at Coimbatore and the property appears to be the same as the one she has purchased under the sale deed dated 21.04.2021.

8. Therefore, the transfer petition is allowed as prayed for. Consequently, the connected miscellaneous petition is closed. The learned Family Judge, Coimbatore, is directed to dispose of the case within a period of 10 months from the date of receipt of a copy of this order. No costs.

09.04.2025

Index : Yes/No
Internet : Yes/No

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To

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1.The Family Court,
Erode

2.The Family Court,
Coimbatore.



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P.T. ASHA, J,

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