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Tr.C.M.P.No.872 of 025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:23.01.2026

CORAM:

THE HONOURABLE DR.JUSTICE A.D. MARIA CLETE

Tr.C.M.P. No.872 of 2025

and

C.M.P. No.19815 of 2025

M.Manjuladevi,

D/o. Manickam Chettiyar,

Residing at Annai Indhira Nagar,

D.No.7, II Floor,

Nesapakkam, Chennai – 600 078.

... Petitioner

Vs

T.Mohanraj,

S/o. P. Thanagodi,

Door No.158, Jeeva Nagar,

Krishnampalayam,

Erode District – 638 003.

Presently residing at New No.8,

Old No.13, Sekilar Street,

Rajiv Gandhi Nagar, Nesapakkam,

Chennai – 600 078.

... Respondent

Prayer in Tr.C.M.P. No.872 of 2025:Transfer Civil Miscellaneous Petition filed under Section 24 of the Code of Civil Procedure, to withdraw F.C.O.P. No.209 of 2024 on the file of the Family Court, Erode and transfer the same to the file of the Family Court, Chennai.

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Tr.C.M.P.No.872 of 025

Prayer in C.M.P. No.19815 of 2025: Petition to stay all further proceedings in F.C.O.P. No.209 of 2024 on the file of the Family Court, Erode, pending disposal of the Transfer Civil Miscellaneous Petition.

For Petitioner : Mr.V.S.Kesavan

For Respondent : Mr.Sanjay Davison

ORDER

1. Heard.
2. The petitioner is the wife and the respondent is the husband. This petition is filed by wife under Section 24 of the Code of Civil Procedure, to withdraw F.C.O.P. No.209 of 2024 on the file of the Family Court, Erode and transfer the same to the file of the Family Court, Chennai.
3. The marriage between the parties was solemnised on 21.10.2009 at Erode, as per Hindu rites and customs. Out of the wedlock, a female child was born on 25.01.2011, who is stated to be studying at Chennai.



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4. The respondent/husband has filed F.C.O.P. No.209 of 2024 before the Family Court, Erode, seeking restitution of conjugal rights. The petitioner seeks transfer of the said proceedings to Chennai contending that she is residing at Chennai, eking out her livelihood through a small tailoring business and that she has to take care of the school-going minor child. The petitioner further pleads difficulty in undertaking frequent travel to Erode (over a long distance) for every hearing and also expresses apprehension on account of alleged threats at Erode.
5. Per contra, the respondent is stated to be employed in Chennai and also presently residing at Chennai. The petitioner's specific case is that the respondent has sufficient means and that attending proceedings at Chennai would not cause any prejudice to him.
6. Further, the respondent has no objection to transfer the case to Chennai, the petitioner is residing at Chennai with the child and claims to be self-employed. The respondent, on the petitioner's own showing, is working and presently residing in Chennai.



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7. Accordingly, Tr.C.M.P. No.872 of 2025 is allowed.

F.C.O.P. No.209 of 2024 on the file of the Family Court, Erode, is withdrawn and transferred to the file of the Family Court, Chennai. The Family Court, Erode, shall transmit the entire records to the Family Court, Chennai, within three (3) weeks from the date of receipt of this order and the Family Court, Chennai shall dispose of the matter in accordance with law, as expeditiously as possible, uninfluenced by any observations made in this order. Interim stay granted by this Court on 13.08.2025 shall stand vacated and C.M.P. No.19815 of 2025 is closed. There shall be no order as to costs.

23.01.2026

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Tr.C.M.P.No.872 of 025

To

1. Family Court, Erode
2. Family Court, Chennai



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DR. A.D. MARIA CLETE, J

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**Tr.C.M.P. No.872 of 2025
and
C.M.P. No.19815 of 2025**

23.01.2026