



WEB COPY



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15-07-2026

CORAM

THE HON'BLE MR.JUSTICE P.B. BALAJI

**Tr.CMP.No.291 of 2026
and CMP. No.8276 of 2026**

Mrs.R.Evangiline

..Petitioner(s)

Vs

Mr.Stanley Alfred

..Respondent(s)

Prayer: Transfer Civil Miscellaneous Petition filed under Section 24 of CPC, to withdraw the IDOP No.142 of 2025 on the file of the Hon'ble District Court, Kancheepuram and transfer the same to the Hon'ble Family Court, Coimbatore with a direction to try the same.

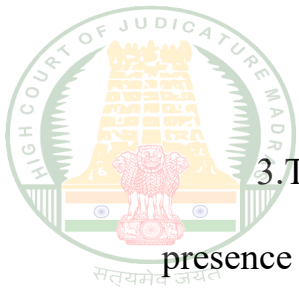
For Petitioner(s): Mr.M.K.Bhoopathy Rajan

For Respondent(s): Mr.R.Thomas

ORDER

The petitioner is the wife seeking transfer of IDOP Proceedings No.142 of 2025, pending on the file of the District Court, Kancheepuram and transfer the same to the Family Court, Coimbatore.

2. The case of the petitioner is that she is the resident of Kancheepuram and she is also having custody of a minor child aged 2 ½ years and she is finding difficult to appear before the District Court, Kancheepuram to attend the IDOP proceedings initiated by the respondent/husband.



3. The learned counsel for the respondent would however state that the presence of the petitioner before the District Court is not mandatory and she had already engaged a Counsel to represent the petitioner before the District Court at Kancheepuram. He would further state that no prejudice would be caused, if the proceedings are decided by the District Court at Kancheepuram.

4. I have considered the submissions advanced by the learned counsel on either side. I have also gone through the affidavit filed in support of the Transfer Civil Miscellaneous Petition.

5. Admittedly, the petitioner/wife resides within the jurisdiction of the Coimbatore and she has custody of minor girl child aged two and half years. Even though the presence of the petitioner may not be mandatory or necessary for all hearing dates, being a matrimonial dispute, the petitioner may have atleast be present before the District Court at Kancheepuram to instruct her Counsel on important dates and considering the difficulty and inconvenience expressed, I am inclined to allow the Transfer Civil Miscellaneous Petition, at the same time, to balance equities, considering that the matter is now being transferred to the Family Court, Coimbatore, it is made clear that the Family Court, Coimbatore shall not insist ordinarily on the presence of the respondent/husband for all hearing dates, except when his presence would be mandatory for recording his evidence in chief and cross and he shall be entitled to be represented by a Counsel of his choice, for all other hearings.



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6. In fine, this Transfer Civil Miscellaneous Petition is **ordered** with the above directions. The proceedings in IDOP No.142 of 2025 on the file of the District Court, Kancheepuram is withdrawn and transferred to the Family Court, Coimbatore. Consequently, connected Miscellaneous Petition is also closed. No costs.

15-07-2026

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

To

- 1.The District Judge, Kancheepuram.
- 2.The Judge, Family Court, Coimbatore.



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P.B.BALAJI, J.

RKP

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