



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.11.2021

CORAM:

THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN

TR CMP NO.102 OF 2021

AND

CMP NO.3481 OF 2021

K.Malathy

...Petitioner

Vs

J.Madhan

...Respondent

Prayer : Transfer Civil Miscellaneous Petition filed under Section 24 of the Code of Civil Procedure, 1908, to withdraw the HMOP No.368 of 2020 pending before the Sub Court, Tambaram and transfer the same to the Family Court, Chennai.

For Petitioner : MrA.Kumanaraja

For Respondent : Mr.B.Senthilkumar

O R D E R

This application has been filed to transfer HMOP No.368 of 2020 pending on the file of the Sub Court, Tambaram to the Family Court, Chennai.

2. The proceedings before the Sub Court, Tambaram have been initiated by the husband. According to the wife, she being a resident of Tondiarpet, she cannot appear and contest the proceedings at Tambaram for every hearing.

3. The request of the wife for transfer is wholly unreasonable. The proceedings are before the Sub Court, Tambaram, where she can engage counsel and appear through counsel and she need not be physically present for every hearing. On the other hand, if the proceedings are transferred to the Family Court, Chennai, the husband who is a resident of Seliyur would be forced to appear before the Family Court, Chennai for every hearing. The wife who pleads that she is sick would also be forced to appear before the Family Court, Chennai for every hearing. The inconvenience that would be caused to the



wife would outweigh the inconvenience caused to the husband. Hence, this Transfer Civil Miscellaneous Petition is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

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Sd/-
Assistant Registrar(CS-VI)

// True Copy //

Sub Assistant Registrar

vum

To

The Subordinate Judge,
Tambaram.

+1cc to Mr.B.Senthilkumar, Advocate SR.No.62465

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and CMP No.3481 of 2021

AJS (CO)
RVM(13/12/2021)