



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.11.2021

CORAM:

THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN

TR CMP No.161 of 2021
and CMP No.4753 of 2021

Bhuvanapraba

... Petitioner

Vs

Manoharan

... Respondent

Prayer: Transfer Civil Miscellaneous Petition filed under Section 24 of the Code of Civil Procedure, 1908, pleased to withdraw the case pending on the file of the Sub Court, Thiruchengode, Namakkal District in HMOP No.1 of 2021 and transfer the same to the file of the Family Court, Chennai.

For Petitioner : Mr.M.Dhamodharan

For Respondent : Mr.N.Srinivasan

O R D E R

The wife seeks transfer of proceedings in HMOP No.1 of 2021 filed by the respondent, seeking restitution of conjugal rights on the file of the Sub Court, Thiruchengode, Namakkal District to the Family Court, Chennai. The transfer is sought for solely on the ground of convenience of the wife.

2. I have heard Mr.M.Dhamodharan, learned counsel for the petitioner and Mr.N.Srinivasan, learned counsel appearing for the respondent.

3. Mr.M.Dhamodharan, learned counsel appearing for the petitioner would submit that traveling to Thiruchengode from Chennai for every hearing, would be very difficult.

4. Mr.N.Srinivasan, learned counsel appearing for the respondent would point out that if the proceedings are transferred to Family Court, Chennai, the respondent will have to



appear for every hearing in person. According to him, it would cause more inconvenience to the respondent.

5. The Wife is admittedly a resident of Chennai and she seeks transfer of proceedings to Chennai. Therefore, I am of the considered opinion, it will be in the interest of the parties, the proceedings are to be transferred to a Sub Court, near Chennai where the parties can be represented through their counsels for regular hearings and the parties can appear only for essential hearings and the inconvenience caused to the husband will also be much less than transferring the case to the Family Court, Chennai which is over crowded.

6. In view of the above, the proceedings in HMOP No.1 of 2021 on the file of the Sub Court, Thiruchengode, are withdrawn and transferred to the Sub Court, Alandur to be disposed of in accordance with law. This Transfer Civil Miscellaneous Petition is disposed of accordingly. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS-VII)

// True Copy //

Sub Assistant Registrar

vum

To

1.The Subordinate Judge, Thiruchengode,
Namakkal District.

2.The Subordinate Judge, Alandur.

+lcc to Mr.N.Srinivasan, Advocate SR.No.58451

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PCH(CO)
CB(01/12/2021)