



TR.C.M.P.(MD) No.211 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 19.06.2023

CORAM

THE HONOURABLE **MR.JUSTICE C.SARAVANAN**

TR.C.M.P.(MD) No.211 of 2023

and

C.M.P.(MD) No.4487 of 2023

N.Bhuvaneshwari

... Petitioner

Vs.

G.Raghuraman

... Respondent

Transfer Civil Miscellaneous Petition filed under Section 24 of the Code of Civil Procedure, 1908, to withdraw the case in H.M.O.P.No.725 of 2022 on the file of the Family Court, Trichirappalli and transfer the same to the Family Court, Srivilliputhur.

For Petitioner : Mr.C.Mayilvahana Rajendran

For Respondent : Mr.S.Anwar Sameem

ORDER

This Transfer Civil Miscellaneous Petition has been filed to transfer H.M.O.P.No.725 of 2022 from the Family Court, Trichirappalli to the Family Court, Srivilliputhur.



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2. The learned counsel for the respondent appears and submits that although the petitioner prays for transfer of H.M.O.P.No.725 of 2022 from the Family Court, Trichirappalli to the Family Court, Srivilliputhur, the fact remains that the petitioner is working in Bijus, at Selaiyur, Chennai and therefore, the case can be transferred to the Sub Court, Tambaram, Chennai District as the respondent is working at Bangalore.

3. The learned counsel for the petitioner disputes the same and submits that in any event the respondent is working at Bangalore, no prejudice will be caused to the respondent if the case is transferred to the Sub Court, Tambaram, Chennai District or to the Family Court, Srivilliputhur as prayed for by the petitioner.

4. Considering the above, this Court is inclined to allow this Transfer Civil Miscellaneous Petition. H.M.O.P.No.725 of 2022 is directed to be transferred from the Family Court, Trichirappalli to the Family Court, Srivilliputhur.

5. Considering the fact that the respondent is residing in Bangalore in connection with his work and the petitioner is working at Selaiyur,



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Chennai, physical presence of both parties before the Family Court,

Srivilliputhur shall stand dispensed with for regular and routine hearing.

However, both the petitioner and respondent shall appear through their counsel and shall appear in persons before the Family Court, Srivilliputhur as and when the Family Court, Srivilliputhur requires their physical presence.

6. The Family Court, Srivilliputhur shall dispose of H.M.O.P.No. 725 of 2022 on its being re-numbered, on merits and in accordance with law, as expeditiously as possible, preferably, within a period of 12 months from the date of receipt of a copy of this order.

7. This Transfer Civil Miscellaneous Petition is allowed. No cost. Consequently, connected Miscellaneous Petition is closed.

19.06.2023

NCC : Yes / No
Internet: Yes/No
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To

- 1.The Family Court, Trichirappalli.
- 2.The Family Court, Srivilliputhur.



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C.SARAVANAN, J.

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