



Tr.C.M.P(MD)No.543 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.02.2023

CORAM

THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR

Tr.C.M.P(MD)No.543 of 2022

and

C.M.P(MD)No.8624 of 2022

P.Thangadurai

... Petitioner/ Respondent

Vs.

R.Sangeetha

... Respondent/ Petitioner

PRAYER : Transfer Civil Miscellaneous Petition is filed under Section 24 of the Code of Civil Procedure, to withdraw the petition in H.M.O.P.No.2579 of 2022 on the file of the III Additional Family Court, Chennai and transfer the same to Family Court or any other Court Dindigul.

For Petitioner : Mr.S.Sivakumar

ORDER

The present transfer civil miscellaneous petitioner has been filed by the husband seeking to transfer H.M.O.P.No.2579 of 2022 filed by the wife pending before the II Additional Family Court, Chennai.

2. According to the learned counsel appearing for the petitioner/husband, the petitioner is the permanent resident of Dindigul and he finds it difficult to travel to Chennai to attend every hearing.



Tr.C.M.P(MD)No.543 of 2022

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3. Admittedly, the wife is the permanent resident of Thiruvannamiyur at Chennai and therefore, the II Additional Family Court, Chennai, has got ever jurisdiction to entertain H.M.O.P.No.2579 of 2022. Therefore, the husband has no right to seek transfer the same to Dindigul. However, the learned Judge (II Additional Family Court), Chennai, is directed not to insist upon the personal appearance of the petitioner on every hearing, unless it is compulsorily required.

4. With the above observation, the Transfer Civil Miscellaneous Petition is dismissed. No costs. Consequently, connected Miscellaneous Petition is closed.

27.02.2023

NCC : Yes / No
Index : Yes / No
Rmk

To

1.The Judge (II Additional Family Court), Chennai.



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Tr.C.M.P(MD)No.543 of 2022

R.VIJAYAKUMAR ,J.

Rmk

Order made in
Tr.C.M.P(MD)No.543 of 2022

27.02.2023