



WEB COPY



Tr.CMP No.75 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.04.2024

CORAM :

THE HONOURABLE MR.JUSTICE V. LAKSHMINARAYANAN

TR.CMP No.75 of 2024
and C.M.P.No.1856 of 2024

A.Suganya

.... Petitioner

-Vs-

R.Vijayakumar

.... Respondent

Prayer : Transfer Civil Miscellaneous Petition under Section 24 of C.P.C., to withdraw and transfer the HMOP No.5061 of 2023 on the file of the VI Additional Family Court, Chennai to the Family Court, Chennai to the Family Court, Coimbatore.

For Petitioner : Mr.A.Swaminathan

For Respondent : Ms.M.Elizabeth

ORDER

This is a transfer petition filed by the wife seeking to transfer H.M.O.P.No.5061 of 2023 on the file of the VI Additional Family Court, Chennai to the Family Court at Coimbatore.



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2. The petitioner and the respondent got married on 07.11.2016 and set up their matrimonial home at Coimbatore. They brought forth a female child into this world on 30.07.2018. Subsequently, the husband initiated proceedings before the VI Additional Family Court at Chennai. Since the petitioner has a child, she finds it difficult to travel from Coimbatore to Chennai for every hearing. To this difficulty expressed by the wife, the husband / respondent resists it on the ground that the petitioner's brother is a member of the Bar at Coimbatore and therefore he fears for his life.

3. Since the distance between Coimbatore and Chennai is considerable and will take an overnight travel even if the petitioner is to travel by train, I feel in the interest of justice and taking into consideration the convenience of the wife, the proceedings be transferred from Chennai to Coimbatore. Accordingly, H.M.O.P.No.5061 of 2023 on the file of the VI Additional Family Court, Chennai is withdrawn and transferred to the file of the Family Court at Coimbatore.

4. The husband being employed at Chennai will find it difficult to attend for every hearing. Therefore, the learned Judge, Family Court at Coimbatore is requested not to insist the appearance of the husband on every hearing. The husband shall appear for all essential hearings where his presence is indispensable. For the other hearings including procedural matters, he will be represented through a counsel.



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5. With the above directions, the Tr.C.M.P., is allowed. No costs. Consequently, connected miscellaneous petition is closed.

08.04.2024

Index : Yes/No
Neutral Citation : Yes/No
KST

To

1.The VI Additional Judge
Family Court
Chennai.

2.The Judge
Family Court
Coimbatore.



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V. LAKSHMINARAYANAN, J.

KST

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