



Tr.CMP.No.213 of 2023

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.04.2024

CORAM

THE HONOURABLE MR.JUSTICE V.LAKSHMINARAYANAN

Tr.CMP.No.213 of 2023

and

C.M.P.No.4622 of 2023

R.Priscilla @ Indhu

.. Petitioner

Vs.

V.David @ Indirajith

.. Respondent

Prayer : The Transfer Civil Miscellaneous Petition is filed under Section 24 of the Code of Civil Procedure, to withdraw the case in D.O.P.No.1138 of 2021 before the Additional Family Court at Coimbatore and transfer the same to the file of the Family Court at Chennai.

For Petitioner : M/s.D.Bharathy

For Respondent : Mr.V.Murugesan

ORDER

The petitioner is the wife and the respondent is the husband.

2. The husband has initiated the proceedings in D.O.P.No.1138 of



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2021 before the Additional Family Court at Coimbatore.

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3. The petitioner/wife is a dentist and has secured her employment at Chennai in a hospital. She would state that she is unable to travel from Chennai to Coimbatore for every hearing. Hence, this transfer petition.

4. In order to substantiate the fact that the petitioner is residing at Chennai, she has produced a lease deed, dated 16.01.2023, as well as a certificate from “Annai Family Health Centre” situated at No.17, Kannadapalayam Main Road, Avadi, Chennai – 62. The certificate states that the petitioner, being aged about 25 years, has joined the hospital on probationary basis for a period of one year.

5. Considering the difficulties expressed by the petitioner/wife for traveling, I am inclined to allow this transfer petition. Hence, the proceedings in D.O.P.No.1138 of 2021 which is now pending on the file of the Additional Family Court at Coimbatore is withdrawn and it shall stand transferred to the file of the Family Court at Chennai. The learned Family Judge shall club the proceedings in D.O.P.No.1138 of 2021 along with the



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proceedings in M.C.No.66 of 2022 and render a common judgment.

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6. Since the husband would find it difficult to travel from Coimbatore to Chennai for all the hearings, his presence is hereby dispensed with for all the hearings other than essential hearings. Accordingly, he shall appear before the Court only for the essential hearings. For all other hearings, he may be represented through a counsel.

7. Accordingly, the Transfer Civil Miscellaneous Petition stands allowed. No costs. Consequently, connected Civil Miscellaneous Petition is closed.

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Index:Yes/No

Speaking Order :Yes/No

Neutral Citation:Yes/No



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V. LAKSHMINARAYANAN, J.

mkn2

To

- 1.The Additional Family Court,
Coimbatore
- 2.The Family Court,
Chennai

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and
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