



WEB COPY



Tr.CMP.No.272 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.04.2024

CORAM

THE HONOURABLE MR.JUSTICE V.LAKSHMINARAYANAN

Tr.CMP.No.272 of 2023

and

C.M.P.No.5953 of 2023

R.Priscilla @ Indhu

.. Petitioner

Vs.

1.V.David @ Indirajith

2.Jenifer @ Indira

3.M.Bindhu

4.Muralidharan

.. Respondents

Prayer : The Transfer Civil Miscellaneous Petition is filed under Section 24 of the Code of Civil Procedure, to withdraw the case in D.V.A.No.170 of 2021 before the Special Court for Trial of Domestic Violence Act cases at Coimbatore and transfer the same to the file of the Special Court for Trial of Domestic Violence Act cases at Chennai.

For Petitioner : M/s.D.Bharathy

For Respondent : Mr.V.Murugesan



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ORDER

The petitioner is the wife and the 1st respondent is the husband.

2. The wife has initiated the proceedings in D.V.A.No.170 of 2021 before the Special Court for Trial of Domestic Violence Act cases at Coimbatore. Subsequently, the petitioner, being a dentist, has secured an employment at Chennai in a hospital.

3. She would state that she is unable to travel from Chennai to Coimbatore for every hearing for the purpose of prosecuting the case filed by her. 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



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traveling, I am inclined to allow this transfer petition. Hence, the proceedings in D.V.A.No.170 of 2021 which is now pending on the file of the Special Court for Trial of Domestic Violence Act cases at Coimbatore is withdrawn and it shall stand transferred to the file of the Mahila Court at Egmore, Chennai for the purpose of disposal. 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.

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

16.04.2024

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Index:Yes/No

Speaking Order :Yes/No

Neutral Citation:Yes/No

V. LAKSHMINARAYANAN, J.

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WEB COPY To

- 1.The Special Court for Trial of Domestic Violence Act cases,
Coimbatore
- 2.The Mahila Court,
Egmore, Chennai

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