



WEB COPY



Tr.C.M.P.No.412 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.04.2024

Coram

THE HON'BLE MR JUSTICE V. LAKSHMINARAYANAN

Tr.C.M.P.No.412 of 2024 &
C.M.P.No.8564 of 2024

M.Valliammai @ Revathy

... Petitioner

-Versus-

K.Narayanan

... Respondents

Transfer Civil Miscellaneous Petition filed under Section 24 of the Code of Civil Procedure to withdraw O.P.No.1552 of 2018 pending on the file of the IV Additional Family Court, Chennai and transfer the same to the file of the Family Court, Sivagangai, Sivagangai District.

For Petitioner : *Mr.P.C.Kumaraguru*

For Respondent : *Mr.R.Senthil kumar*

ORDER

This transfer civil miscellaneous petition seeks to transfer HMOP.No.1552 of 2018 now pending on the file of the IV Additional Family Court at Chennai to the file of the Family Court at Sivagangai.



Tr.C.M.P.No.412 of 2024

2. When I took up the matter for enquiry, Mr.R.Senthil kumar, representing the husband, brought to my notice that this Court on 19.01.2024 in C.R.P.No.5041 of 2023, had directed the trial court to dispose of the suit as expeditiously as possible. Therefore, if I were to transfer the HMOP out of the Family Court at Chennai to the file of the Family Court at Sivagangai, I feel it might act contrary to the order passed in CRP.No.5041 of 2023.

3. At this stage, Mr.P.G.Kumaraguru would represent that the father of the petitioner is undergoing treatment in Madurai, and therefore, she is not in a position to come to Chennai to contest the proceedings on a day-to-day basis.

4. Taking that factum into consideration, I feel if a direction is given to the learned IV Additional Family Court at Chennai to commence the examination of the husband, Mr.Narayanan and complete it in two days, it will serve the ends of justice.

5. Mr.R.Senthil kumar would state that he has already filed his proof affidavit and the husband is ready for cross-examination. By consent of both parties, the husband will present himself for cross-examination on 09.05.2024 and the cross-examination will commence on that date. Sufficient opportunity



Tr.C.M.P.No.412 of 2024

may be given to the wife, and the cross-examination may be concluded on or before 14.05.2024. It is made clear that after the cross-examination of DW1 is over, the presence of the petitioner/Valliammai need not be insisted upon for every hearing thereafter. She may present herself at the time of arguments.

6. In the light of the above, this transfer civil miscellaneous petition is disposed of. No costs. Consequently, the connected miscellaneous petition is closed.

17.04.2024

nl

Index : yes / no
Neutral Citation : yes / no
Speaking / Non Speaking Order

To

- 1.The IV Additional Family Court, Chennai
- 2.The Family Judge, Sivagangai District.



WEB COPY



Tr.C.M.P.No.412 of 2024

V.LAKSHMINARAYANAN, J.
nl

Tr.C.M.P.No.412 of 2024 &
C.M.P.No.8564 of 2024

17.04.2024