



Tr.C.M.P.No.219 of 2024
and
C.M.P.Nos.4345 and 4349 of 2024

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.08.2024

CORAM:

THE HONOURABLE MR.JUSTICE V.LAKSHMINARAYANAN

**Tr.C.M.P.No.219 of 2024 and
C.M.P.Nos.4345 and 4349 of 2024**

Syed Sabayath Nisha
W/o.L.Mohammed Uzama

.. Petitioner

Vs.

L.Mohammed Uzama
S/o.Late.Liyakath Alikhan

.. Respondent

PRAYER: Transfer Civil Miscellaneous Petition filed under Section 24 of the Code of Civil Procedure, to withdraw O.S.No.373 of 2023, pending on the file of the I Additional Principal Family Court, Chennai and transfer the same to the Family Court, Sivagangai.

For Petitioner : Mr.T.Shanmugam
For Respondent : Mr.B.Manimaran

ORDER

The petitioner is the wife. She is a permanent resident of Ilayangudi in Sivaganga District. The husband has initiated O.S.No.373 of 2023 on the file of the I Additional Principal Family Court at Chennai seeking for restitution of conjugal rights. The wife pleads, the distance



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between Ilayangudi and Chennai is considerable and she is unable to travel the said distance to attend the hearings of the Family Court at Chennai. Hence, the petition.

2. Notice was ordered in the petition on 04.04.2024. The respondent has been served and he entered appearance through Mr.B.Manimaran.

3. Mr.B.Manimaran would submit that if the proceedings are transferred to Tiruchirapalli, being closer to Sivaganga, it would serve the ends of justice as it is well connected with the Metropolitan City of Chennai.

4. The purpose of transfer is the fact that the wife is unable to travel on account of the fact she is taking care of her mother. Sivaganga is closer to Ilayangudi than Tiruchirapalli.

5. Taking into consideration the convenience of the wife,



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O.S.No.373 of 2023 is withdrawn from the file of the I Additional Principal Family Court at Chennai and transferred to the file of the Family Court at Sivaganga. Since the husband is taking care of his aged mother and is a businessman at Chennai, the Family Court at Sivaganga will not insist on the appearance of the husband for every hearing. He shall be represented by a counsel and on the hearings where his presence is essential, he shall appear before the Court.

6. Accordingly, the Transfer Civil Miscellaneous Petition stands allowed. No costs. Consequently, connected civil miscellaneous petitions are closed.

23.08.2024

Index: Yes / No
Speaking Order : Yes / No
Neutral Citation: Yes / No
vji

To

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1. I Additional Principal Family Court,
Chennai.
2. The Family Court,
Sivaganga.



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V.LAKSHMINARAYANAN, J.

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