



Tr.CMP.No.261 of 2023

WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.04.2024

CORAM

THE HONOURABLE MR.JUSTICE V.LAKSHMINARAYANAN

Tr.CMP.No.261 of 2023

and

C.M.P.No.5764 of 2023

A.Ranjani

.. Petitioner

Vs.

J.Jayanth

.. Respondent

Prayer : The Transfer Civil Miscellaneous Petition is filed under Section 24 of the Civil Procedure Code, to withdraw and transfer the H.M.O.P.No.367 of 2022 from the file of the Subordinate Court at Tiruvottiyur to the file of the Principal Subordinate Court at Kanchipuram.

For Petitioner : M/s.Kanchi GV.Mathiazhagan

For Respondent : Mr.B.M.Santharam

ORDER

The petitioner and the respondent were married on 04.09.2017 at Kanchipuram. From the marriage, a child has been born who is suffering from certain medical illness. The wife has already initiated a proceeding in



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D.V.C.No.7 of 2021 on the file of the Judicial Magistrate No.1 at Kanchipuram, to attend which the husband is traveling till date.

2. The husband had initiated H.M.O.P.No.367 of 2022 on the file of the learned Subordinate Judge at Tiruvottiyur. But the wife is unable to travel from Kanchipuram to Tiruvottiyur for the purpose of contesting the proceeding. Hence, this transfer petition.

3. As pointed out above, the child born from the wedlock is suffering from certain medical issues and might require the presence of the mother at most points of time. It will be difficult for the wife to attend to the child and to take care of the hearing at Tiruvottiyur.

4. Considering the overall situation, the proceedings in H.M.O.P.No.367 of 2022 is withdrawn from the file of the learned Subordinate Judge at Tiruvottiyur and it shall stand transferred to the Principal Subordinate Court at Kanchipuram.

5. It is made clear that the presence of the husband should not be



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insisted for every hearing. Suffice that he shall be present during the essential hearings of the case.

6. Accordingly, this 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

To

- 1.The Subordinate Court,
Tiruvottiyur
- 2.The Principal Subordinate Court,
Kanchipuram



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