



WEB COPY



Tr.CMP.No.308 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.04.2024

CORAM

THE HONOURABLE MR.JUSTICE V.LAKSHMINARAYANAN

Tr.CMP.No.308 of 2024

and

C.M.P.No.6184 of 2024

J.Jerlin

.. Petitioner

Vs.

P.Agassi Prince

.. Respondent

Prayer : The Transfer Civil Miscellaneous Petition is filed under Section 24 of the Code of Civil Procedure, to withdraw the proceeding in I.D.O.P.No.5042 of 2023 pending on the file of the VI Additional Family Court at Chennai and transfer the same to the file of the Family Court at Coimbatore.

For Petitioner : Mr.A.Thirumaran

For Respondent : Mr.U.Karunakaran

ORDER

The wife is a permanent resident of Kavundampalayam at Coimbatore District. The husband is a permanent resident of Chinmaya Nagar at Chennai.



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2. The respondent/husband has initiated a proceeding in I.D.O.P.No.5042 of 2023 on the file of the VI Additional Family Court at Chennai, seeking divorce.

3. The wife pleads inability to travel from Coimbatore to Chennai to attend the court hearings.

4. The husband has filed a counter opposing the application. He says that there is a threat to his life in case he goes to Coimbatore because the wife has filed repeated complaints against him before the Police Station. The fact that the wife has filed the complaints before the Police Station itself, shows that she is a law abiding citizen and is trying to get a remedy through the process of law. The lodging of the complaints against the husband cannot be treated as a threat to his life.

5. Mr.U.Karunakaran would plead that the matter may be transferred to the file of the Family Court at Tiruppur. When I am ordering the transfer of proceeding on the ground of convenience of the wife, I find no necessity to push the wife to travel 50 Kms only in order to satisfy the ego of the



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husband.

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6. Taking into consideration the overall circumstances, I am inclined to allow this transfer petition. Hence, the proceeding in I.D.O.P.No.5042 of 2023 pending on the file of the VI Additional Family Court at Chennai is withdrawn and it shall stand transferred to the file of the Family Court at Coimbatore.

7. It is made clear that the husband need not appear for every hearing. But, he shall appear for the essential hearings. On all other hearings, he may be represented through a counsel. Accordingly, the Transfer Civil Miscellaneous Petition stands allowed. No costs. The connected Civil Miscellaneous Petition is closed.

24.04.2024

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Index:Yes/No

Speaking Order :Yes/No

Neutral Citation:Yes/No



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V. LAKSHMINARAYANAN, J.

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To

1.The VI Additional Family Court,
Chennai

2.The Family Court,
Coimbatore

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