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Tr.C.M.P.No.499 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.08.2024

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THE HON'BLE MR.JUSTICE V.LAKSHMINARAYANAN

Tr.C.M.P.No.499 of 2024 &
C.M.P.No.10206 of 2024

M.Vishnupriya @ Umamaheswari : Petitioner

versus

S.Yuvaraj @ Raja : Respondent

Prayer: Petition filed under Section 24 of the Code of Civil Procedure to withdraw the HMOP.No.193 of 2023 on the file of the Sub Court, Poonamallee and transfer the same to the Principal Family Court, Chennai.

For Petitioner : Mr.P.Krishnan

For Respondent : Mr.C.Srinivasan

ORDER

This transfer petition has been filed seeking transfer of the proceedings in HMOP.No.193 of 2023 from the file of the Sub Court, Poonamallee to the file of the Principal Family Court at Chennai.

2. The petitioner and the respondent married each other on



Tr.C.M.P.No.499 of 2024

WEB COPY

3. The petitioner states that she is physically challenged person who is unable to walk freely. According to her, due to petty disputes, her husband has initiated HMOP.No.193 of 2023 on the file of the Sub Court at Poonamallee. She avers that she had to travel to Poonamallee on 17.10.2023, 02.11.2023, 30.11.2023, 23.01.2024 and 08.02.2024. Being physically challenged, she was unable to travel alone and had to be accompanied by someone and also had to hire a motor vehicle, which costs her about Rs.6,000/- per trip. She states that Chennai is easily accessible to her as there are regular train services between Chennai and Arakkonam.

4. The learned counsel for the respondent husband states that if the proceedings are transferred to the file of the Family Court at Tiruvallur, it would be easier for the wife.

5. If I were to transfer the proceedings to the Family Court at Chennai, both the husband and wife would have to appear before the court, which would put them at great difficulty.



Tr.C.M.P.No.499 of 2024

WEB COPY

6. The husband is in Thirunindravur and the wife is in Arakonam. By virtue of the Family Courts Act, the parties would have to be present in person unless and until their presence is dispensed with by the court.

7. Taking into consideration the overall circumstances, I am inclined to withdraw HMOP.No.193 of 2023 from the file of the Sub Court at Poonamallee to the file of the Sub Court at Arakkonam. Accordingly, the Transfer Civil Miscellaneous Petition is Ordered. No costs. Consequently, the connected miscellaneous petition is closed.

23.08.2024

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Index : Yes/No
Speaking Order/Non-speaking order
Neutral Citation : Yes/No

To

Page 3 of 5



Tr.C.M.P.No.499 of 2024

WEB COPY

- 1.The Sub Court, Poonamallee
- 2.The Principal Family Court, Chennai.



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Tr.C.M.P.No.499 of 2024

V.LAKSHMINARAYANAN, J.

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Tr.C.M.P.No.499 of 2024

23.08.2024