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Tr.C.M.P. No.386 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.09.2024

Coram

THE HON'BLE MR. JUSTICE V. LAKSHMINARAYANAN

Tr.C.M.P. No.386 of 2024 &
C.M.P.No.8171 of 2024

Vijayalekshmi @ Shiva

... Petitioner

-Versus-

S.Subramaniam @ Umesh

... Respondent

PRAYER: Transfer Civil Miscellaneous Petition is filed under Section 24 of Civil Procedure, to withdraw and transfer the H.M.O.P.No.397 of 2024 on the file of the Principal Family Court, Coimbatore to the I Additional Family Court, Chennai.

For the Petitioner : Mr.R.Dhanasekar

For the Respondent : Mr.K.Vasanthanayagan

ORDER

The petitioner is the wife. She married the respondent on 02.05.2019.

The petitioner is working as Junior Assistant with CMWSSB. The respondent is a project Manager in a private firm in Coimbatore. Due to disputes and



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differences, the husband as well as the wife have initiated proceedings for divorce. The wife has initiated H.M.O.P.No.1281 of 2024 on the file of the 1st Additional Family Court, Chennai and the respondent-husband has initiated H.M.O.P.No.397 of 2024 on the file of the Principal Family Court, Coimbatore.

2. Pleading that she is unable to travel from Chennai to Coimbatore, on account of the fact that she is working in Chennai and since Coimbatore is also separated by a considerable distance of 500 kms, she moved the transfer petition. She would further state that she is having orthopaedic problems, which restrains her travel.

3. Notice was ordered in the application on 08.04.2024 and the respondent entered appearance through Mr.K.Vasanthanayagan.

4. Heard, Mr.R.Dhanasekar and Mr.K.Vasanthanayagan.

5. There is already a proceeding initiated by the wife in H.M.O.P.No.1281 of 2024 at Chennai, is pending. The husband has appeared for the said hearing. Therefore, it is better the same Court tries both the divorce



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petitions. Further, the wife expressed her physical illness and the inconvenience of traveling from Chennai to Coimbatore, I am inclined to accept the transfer petition.

6. Accordingly, H.M.O.P.No.397 of 2024 pending on the file of the Principal Family Court, Coimbatore, is withdrawn and transferred to the file of the I Additional Family Court, Chennai to be heard and disposed of along with H.M.O.P.No.1281 of 2024.

7. The presence of the husband need not be insisted upon by the I Additional Family Judge, Chennai, for every hearing. It is sufficient, if he is present on every essential hearing. On all other non-essential or procedural hearings, he will be represented through a counsel.

8. With the aforesaid directions, this Transfer Civil Miscellaneous Petition is allowed. No costs. Consequently, the connected miscellaneous petition is closed.

06.09.2024

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Index : yes / no

Internet : yes / no



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Neutral Citation: yes / no
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V.LAKSHMINARAYANAN, J.,

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To

1.The I Additional Family Judge
Family Court, Chennai.

2. The Principal Family Judge, Coimbatore.

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