



Tr.C.M.P.No.578 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.11.2024

CORAM:

THE HONOURABLE MR.JUSTICE V.LAKSHMINARAYANAN

Tr.C.M.P.No.578 of 2024
and C.M.P.No.12547 of 2024

Abinaya @ Pongodi

.. Petitioner

Vs.

S.Praveen Anand

.. Respondent

PRAYER: Transfer Civil Miscellaneous Petition is filed under Section 24 of the Civil Procedure Code, to withdraw H.M.O.P.No.54 of 2023 on the file of the Sub-Court, Tiruvarur and transfer the same to the file of the Sub-Court at Alandur at Chengalpet.

For Petitioner : Ms.G.Saranya

For Respondent : Mr.D.Padmanabhan



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ORDER

The petitioner is the wife. She married the respondent on 13.03.2012. Due to dispute and differences, they have separated. The husband has initiated H.M.O.P.No.54 of 2023 on the file of the Subordinate Court at Tiruvarur seeking divorce. The wife is presently residing at Chrompet, Chennai. Pleading that the wife is unable to travel the distance of nearly 400 kilometers from Chennai to Tiruvarur to attend the hearing, she has moved this transfer petition.

2. Notice was ordered in this petition and Mr.D.Padmanabhan has entered appearance for the respondent/husband.

3. Mr.D.Padmanabhan reports that a proof affidavit has been filed by the husband before the Sub Court at Tiruvarur.

4. I have carefully considered the submissions of both sides.



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5. When it comes to matters of transfer, it is the convenience of the wife has to be taken into consideration. Considering the inconvenience that will be caused to the wife to travel from Chennai to Tiruvarur to attend the hearing, I am inclined to accept the transfer. Accordingly, H.M.O.P.No.54 of 2023 on the file of the Sub Court at Tiruvarur is withdrawn and transferred to the file of the Sub Court, Alandur at Chengalpet.

6. As the husband has filed a proof affidavit in H.M.O.P.No.54 of 2023, the learned Subordinate Judge, Alandur at Chengalpet shall take up the matter from that stage and not insist upon the de novo trial. The learned Subordinate Judge, Alandur at Chengalpet is further requested not to insist upon the presence of the husband for every hearing. For every hearing, the husband shall be represented by a counsel. For all those hearings where his presence is essential, he shall be present.



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7. This Transfer Civil Miscellaneous Petition stands allowed on the above terms. No costs. Consequently, connected miscellaneous petition is closed.

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Index: Yes/No
Internet: Yes/No
Neutral Citation: Yes/No

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To

1. The Subordinate Judge at Tiruvarur.
2. The Subordinate Judge, Alandur at Chengalpet.



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V.LAKSHMINARAYANAN,J.

Kj

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