



TR CMP NO. 482 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **20-12-2024**

CORAM

THE HONOURABLE MR JUSTICE V. LAKSHMINARAYANAN

TR CMP NO. 482 of 2024 AND

CMP NO. 9979 OF 2024

G.Barathi

... Petitioner

Vs

R.Kumar

... Respondent

Prayer : Transfer CMP under Section 24 of CPC to withdraw HMOP No.241 of 2022 on the file of the Principal Subordinate Judge, Hosur and transfer the same to Family Court at Thanjavur to be tried along with M.C.No.34 of 2023.

For Petitioner : Mr.K.Jayaraman

For Respondent : Notice served, no appearance

ORDER

The Transfer Petition is at the instance of the wife. She married the respondent on 26.02.2012. From the wedlock a child was born, who is now aged about 12 years. He is said to be in the custody of the respondent / father. The respondent has initiated HMOP No.241 of 2022 on the file of the Principal Subordinate Judge at Hosur. The wife has in turn initiated M.C.No.34 of 2023 on the file of the Family Court at Thanjavur. As the distance between Thanjavur to Hosur is nearly about 400 Kms, she has moved this Transfer Petition.

2. The matter was referred to mediation. It failed. Hence, the petition is back again before this Court.



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V. LAKSHMINARAYANAN, J.

KST

3. Taking into consideration the convenience of the wife and the considerable distance separating Thanjavur and Hosur, HMOP No.241 of 2022 on the file of the Principal Subordinate Court at Hosur is withdrawn and transferred to the file of the Family Court at Thanjavur to be heard and disposed of along with MC No.34 of 2023. The learned Judge, Family Court at Thanjavur is requested not to insist the appearance of the husband on every hearing. The husband shall appear for all essential hearings where his presence is indispensable. For the other hearings including procedural matters, he will be represented through a counsel.

4. With the above directions, this Transfer CMP is allowed. No costs. Consequently, connected miscellaneous petition is closed.

20-12-2024

Index : Yes/No

NCS : Yes/No

KST

To

- 1.The Subordinate Court, Hosur.
- 2.The Family Court, Thanjavur.

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