



Tr CMP.No.452 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.09.2024

CORAM

THE HON'BLE MR.JUSTICE V.LAKSHMINARAYANAN

Tr CMP.No.452 of 2024 &
CMP.No.9316 of 2024

V.Hinduja : Petitioner

versus

D.Adhitya : Respondent

Prayer: Petition filed under Section 24 of the Code of Civil Procedure to withdraw the HMOP.No.156 of 2024 on the file of the V Additional Family Court, Chennai and transfer the same to the Family Court, Salem.

For Petitioner : Mr.N.Jayakumra

For Respondent : Mr.N.Hariharan Nair

ORDER

The petitioner is the wife. She married the respondent on 27.01.2021.

From the wedlock, a boy was born on 07.10.2021. The child is 3 years old and he is in the custody of the mother. Due to disputes and differences, the



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parties have separated. The husband has initiated HMOP.No.156 of 2024 on the file of the V Additional Family Court at Chennai.

2. The petitioner would plead that due to the distance between Salem and Chennai, she finds it difficult to travel. She is taking care of a child aged 2 years. Hence, this petition.

3. Notice was ordered in this application on 24.04.2024. the respondent has entered appearance through a counsel.

4. When the matter was taken up on 12.08.2024, the learned counsel for the respondent suggested that either Vellore or Villupuram be considered as a place to travel. Mr.N.Jayakumar had sought time for getting instructions with regard to the same.

5. Today (06.09.2024), Mr.N.Jayakumar reports that the wife, being employed at a school, would find it difficult if the matter is transferred to a place where she would require to travel. This is because she would have to



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take off from her work and since she is taking care of two year child, it would not be possible for her to do that on a regular basis.

6. Taking into consideration the convenience of the wife, I am inclined to accept the transfer. The proceedings in HMOP.No.156 of 2024 is transferred from the file of the V Additional Family Court at Chennai to the file of the Family Court at Salem. It is made clear that the Family Court at Salem need not insist upon the respondent to appear for every hearing except the essential hearing. The respondent shall be present only for such hearings when his appearance is indispensable. For all other hearings, the respondent shall be represented by a counsel.

7. With the above directions, this transfer petition is allowed. No costs. Consequently, the connected miscellaneous petition is closed.

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

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Neutral Citation : Yes/No

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V.LAKSHMINARAYANAN, J.

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To

1.The V Additional Family Court, Chennai

2.The Family Court, Salem.

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