



Tr.CM.P.No.437 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.04.2024

CORAM:

**THE HONOURABLE MR.JUSTICE V.LAKSHMINARAYANAN**

Tr.C.M.P.No.437 of 2023

and

C.M.P.No.9726 of 2023

A.Nivetha

.. Petitioner

Vs.

S.Vignesh

.. Respondent

**Prayer:** This Transfer Civil Miscellaneous Petition is filed under Section 24 of the Civil Procedure Code to withdraw H.M.O.P.No.11 of 2023 on the file of the Family Court, Chengalpet and transfer the same to Family Court, Puducherry.

For Petitioner : Ms.J.Deepika  
for Mr.P.Dinesh Kumar

For Respondent : Mr.S.John Josh



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## ORDER

The present petition seeks to transfer H.M.O.P.No.11 of 2023 pending on the file of the Family Court at Chengalpattu to the file of the Family Court at Puducherry.

2. There is no dispute between the relationship between the parties. They got married on 10.11.2021 at Villivakkam. Subsequently, the parties have fallen out resulting in filing of H.M.O.P.No.11 of 2023 on the file of the Family Court at Chengalpattu.

3. The petitioner has produced the records to show that she is suffering from Kidney problems and is undergoing 'Hemodialysis' on regular basis. She has also undergone termination of pregnancy during the subsistence of the marriage. To ask a person who is suffering from serious sickness to travel a distance of 200 Kms might not be in the interest of justice. Therefore, I am inclined to allow the transfer petition.



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4. Accordingly, H.M.O.P.No.11 of 2023 on the file of the Family Court at Chengalpattu is withdrawn and transferred to the file of Family Court at Puducherry.

5. The husband need not travel for every hearing to the Family Court at Puducherry. His presence shall be insisted upon only for hearings where his appearance is indispensable. For all other hearings including procedural hearing, he may appear through a counsel.

6. With the above directions, this Transfer Civil Miscellaneous Petition is allowed. No costs. Connected miscellaneous petition is closed.

**17.04.2024**

Index : Yes / No  
Neutral Citation : Yes / No  
Speaking Order / Non-speaking order  
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**V.LAKSHMINARAYANAN, J.**

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To

1. The Family Court,  
Puducherry
2. The Family Court,  
Chengalpattu.

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