



Tr.C.M.P.No. 663 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 27.09.2024

CORAM

THE HONOURABLE Mr. JUSTICE

V.LAKSHMINARAYANAN

Tr.C.M.P.No. 663 of 2024

&

C.M.P.No. 14384 of 2024

S.Vadivel

...Petitioner

Vs.

B.Nandhini

...Respondent

Prayer: Petition is filed under Section 24 of the Code of Civil Procedure to withdraw D.V.C.No.16 of 2023 pending trial on the file of the Additional Mahila Court, Tiruvallur and transfer to the file of the Additional Mahila Court, Egmore, Chennai.



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For Petitioner : Mr. C.Ruban D Silva
For Respondent : Mr. Balachander
For Mr. K.Sharath Kumar.

ORDER

This Transfer petition is filed at the instance of the husband. He seeks for a withdrawal of D.V.C.No.16 of 2023, pending on the file of the Additional Mahila Court, Tiruvallur and to be transferred to the file of the Additional Mahila Court, Egmore, Chennai.

2. Notice was ordered in the Transfer Petition on 05.08.2024 and Mr.Sharath Kumar has entered appearance for the respondent. Mr.Balachandar represents him today.

3. Heard the learned counsels for the petitioner and the respondent.



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4. When the matter was taken up for disposal, the learned counsel for the respondent / wife submitted that the wife has currently shifted her residence from Tiruvallur to Thirupapuliur at Cuddalore. He would state that instead of transferring the proceedings to the Court in Egmore, if it is transferred to Cuddalore, it would serve the ends of Justice. The learned counsel for the petitioner requested for pass over to get instructions from his client. The matter was kept aside to be called in the afternoon.

5. When the matter was taken up in the afternoon, the husband has no objection for the proceedings to be transferred to the file of the Judicial Magistrate, dealing with Domestic Violence Cases at Cuddalore. Apart from this no objection, a perusal of the address of the respondent / wife shows that she is a permanent resident of Cuddalore. Being a Domestic Violence Case where the aggrieved



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person is the wife, I have to take into consideration the wife's convenience while ordering this Transfer Petition.

6. In the light of the above discussion, D.V.C.No.16 of 2023 pending on the file of the Additional Mahila Court, Tiruvallur is withdrawn and transferred to the file of the Judicial Magistrate Court, dealing with Domestic Violence Cases at Cuddalore.

7. With the above observation, the Transfer Civil Miscellaneous Petition is disposed of. Consequently, the connected miscellaneous petition is closed. No costs.

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Index : Yes/No
Internet : Yes/No
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To

1.The Additional Mahila Court,
Tiruvallur.

2.The Judicial Magistrate Court,
Cuddalore.



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V. LAKSHMINARAYANAN, J.

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