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Tr.C.M.P. No.583 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 23.08.2024

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THE HON'BLE MR.JUSTICE V.LAKSHMINARAYANAN

**Tr.C.M.P. No.583 of 2024
and C.M.P.No.12613 of 2024**

S.Kirthica

... Petitioner

Vs.

Hariharan

... Respondent

PRAYER: Transfer Petition filed under Section 24 of Civil Procedure Code to withdraw H.M.O.P.No.47 of 2024 on the file of the Principal Family Court, Chennai and transfer the same to the file of the Sub Court, Alandur.

For the Petitioner : Mr.Vineet Subramani
for Mr.V.Pavel

For the Respondent : Ms.S.Lakshmi for Mr.S.Manoharan

ORDER

This Transfer Civil Miscellaneous Petition is at the instance of the wife.

2. H.M.O.P.No.47 of 2024 has been initiated by the husband. The



husband and wife got married each other on 06.12.2019. From the wedlock, a girl child was born on 14.07.2021. The husband is working as Assistant Professor at VIT, Chennai. The wife is also working as Assistant Professor at Anna University, Guindy. She pleads that she is undergoing her probation period and is not in a position to attend every hearing before the Principal Family Court, Chennai. Hence, she pleads that the proceedings may be withdrawn from the file of the Principal Family Court, Chennai and be transferred to the file of the Sub Court, Alandur.

3. The learned counsel for the petitioner would plead that in case she is made to appear for every hearing, there is a possibility that her probation might not be confirmed. He would also plead that the husband is not maintaining her or the child.

4. Considering the serious difficulties expressed by the wife, I am inclined to accept the transfer. Accordingly, H.M.O.P.No.47 of 2024 pending on the file of the Principal Family Court, Chennai is withdrawn and transferred to the file of the Subordinate Court, Alandur. The learned Judge, Subordinate Court, Alandur is requested not to insist on the petitioner and the respondent for every hearing. They may appear through their respective



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counsel. However, they will be present before the Court whenever their appearance is essential or when so directed by the Court.

5. With the above direction, this Transfer Civil Miscellaneous Petition is allowed. No costs. Consequently, connected Miscellaneous Petition is closed.

23.08.2024

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Index : Yes / No

Internet : Yes / No

Speaking order / Non-speaking order

Neutral citation : Yes / No

To

1.The Principal Judge, Family Court, Chennai.

2.The Sub Judge, Sub Court, Alandur.



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V.LAKSHMINARAYANAN, J.,

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