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Tr.CMP.No.565 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.04.2024

CORAM

THE HONOURABLE MR.JUSTICE V.LAKSHMINARAYANAN

Tr.CMP.No.565 of 2023

and

C.M.P.No.13764 of 2023

Jeipreethi Kanggeyavelu

.. Petitioner

Vs.

Srinivasan

.. Respondent

Prayer : The Transfer Civil Miscellaneous Petition is filed under Section 24 of the Code of Civil Procedure, to withdraw H.M.O.P.No.169 of 2021 on the file of the Subordinate Court at Poonamallee and to transfer the same to the Family Court at Chennai.

For Petitioner : M/s.Majestic Law Firm

For Respondent : M/s.B.Aparna

ORDER

The petitioner is the wife and the respondent is the husband. The parties were married on 27.08.2017. A male child was born from the wedlock, who is aged about five years now.



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2. The wife has initiated proceedings in H.M.O.P.No.169 of 2021 on the file of the Sub Court at Poonamallee. She has also initiated the proceedings in D.V.C.No.2 of 2023 which is now pending on the file of the Additional Mahila Court at Thiruvallur. Subsequently, a Transfer Civil Miscellaneous Petition has also been filed in Tr.C.M.P.No.578 of 2023, seeking transfer of proceedings in D.V.C.No.2 of 2023 from the file of the Additional Mahila Court at Thiruvallur to the file of the Additional Mahila Court at Egmore, Chennai, which is also now pending before this Court.

3. Therefore, the husband has already traveled to Chennai for the purpose of defending that litigation. Now, the wife wants transfer of the proceedings from Poonamallee to Chennai. Their child is studying at CPS Global School at Anna Nagar East, Chennai. Therefore, it would be difficult for her to travel, with a child, to Poonamallee for all the hearings.

4. Taking into consideration the convenience of the wife, I am inclined to allow this transfer petition. Hence, the proceeding in H.M.O.P.No.169 of 2021 which is now pending on the file of the Subordinate Court at Poonamallee is withdrawn and it shall stand



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transferred to the file of the Family Court at Chennai.

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5. It is made clear that the husband need not appear for every hearing. But he shall appear for the essential hearings. On all other hearings, he may be represented through a counsel.

6. Accordingly, the Transfer Civil Miscellaneous Petition stands allowed. No costs. Consequently, connected Civil Miscellaneous Petition is closed.

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Index: Yes/No

Speaking Order : Yes/No

Neutral Citation: Yes/No



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V. LAKSHMINARAYANAN, J.

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To

1.The Subordinate Court,
Poonamallee

2.The Family Court,
Chennai

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and

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