



WEB COPY



Tr.C.M.P.No.682 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.06.2024

CORAM:

THE HONOURABLE MR.JUSTICE V.LAKSHMINARAYANAN

Tr.C.M.P.No.682 of 2023

and

C.M.P.No.16763 of 2023

Dr.Vasanthi Thiyagarajan

.. Petitioner

Vs.

S.S.Pazhaniappan (a) Naveen Aakash

.. Respondent

Prayer: Transfer Civil Miscellaneous Petition filed under Section 24 of the Code of Civil Procedure, 1908, to withdraw H.M.O.P.No.1492 of 2022 that is pending on the file of the District Family Court, Madurai and to transfer the same to the file of the District Family Court, Salem.

For Petitioner	: Ms.Poornima Devi.T
For Respondent	: Mr.S.Jerald Lenin

ORDER

The petitioner is the wife. She has moved this application for transfer of H.M.O.P.No.1492 of 2022 pending on the file of the District Family Court, Madurai to the District Family Court, Salem.



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2.The petitioner and the respondent solemnized their marriage on 03.11.2019. From the wedlock, a male child was born in the year 2021. The child is under the custody of the mother / transfer petitioner. Due to differences that has arisen between the parties, the respondent / husband has initiated H.M.O.P.No.1492 of 2022 on the file of the Family Court at Madurai. The respondent / wife is a resident of Salem. She is a Medical Doctor. She pleads that she is not able to travel from Salem to Madurai, which is at considerable distance, leaving behind her child.

3.Taking into consideration the difficulties expressed by the wife, I am inclined to accept the transfer and accordingly, H.M.O.P.No.1492 of 2022 pending on the file of the Family Court at Madurai, is withdrawn and transferred to the Family Court at Salem.

4.The learned counsel for the respondent submitted that the respondent / husband has secured employment after coming to India. 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



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only for such hearings when his appearance is indispensable. For all other hearings, the respondent shall be represented by a counsel.

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

28.06.2024

krk

Index : Yes / No
Internet : Yes / No
Neutral Citation : Yes / No

To

1. The Family Court,
Madurai.

2. The Family Court,
Salem.

V.LAKSHMINARAYANAN, J.



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