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Tr.C.M.P. No.747 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.747 of 2024
and C.M.P.No.16350 of 2024**

M.Yamini

... Petitioner

Vs.

R.Anbarasu

... Respondent

PRAYER: Transfer Petition filed under Section 24 of Civil Procedure Code to withdraw H.M.O.P.No.88 of 2024 pending on the file of the Family Court, Thiruvannamalai District and to transfer the same to the file of the Subordinate Court, Alandur, Chennai District.

For the Petitioner : Mr.C.Vinothkumar

For the Respondent : Mr.M.Silambarasan

ORDER

The wife is the transfer petitioner. She married the respondent on 25.05.2023. Thereafter, the parties set up their matrimonial home at Madipakkam at Chennai. On account of differences, they have separated. The wife alleges that the husband is working at Guindy, Chennai. However, she would state that in order to make her to travel, the respondent-husband had



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initiated proceedings at his native place, Tiruvannamalai. The proceedings of divorce has been numbered as H.M.O.P.No.88 of 2024 on the file of the Family Court, Tiruvannamalai. The wife pleads that she is unable to travel the said distance and hence, she has moved this petition.

2. Notice was ordered in the transfer petition on 02.08.2024. The husband has been served and he has entered through Mr.M.Silambarasan.

3.Mr.M.Silambarasan, learned counsel vehemently contended that the husband is working from home at Tiruvannamalai. If the proceedings are transferred to the Family Court, Chengalpet, it would not prejudice the husband or the wife.

4. I have carefully considered the submissions.

5. This petition has been moved on account of the fact that the father of the petitioner suffering from kidney issues and that the petitioner has to travel all alone from Injambakkam, Chennai to Tiruvannamalai. The distance is considerable and I cannot expect a lady aged 26 years to undertake this travel all alone.



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6. Taking into consideration, the convenience of wife, H.M.O.P.No.88 of 2024 is withdrawn from the file of the Family Court, Tiruvannmalai, and is transferred to the file of the Sub Court, Alandur.

7. The presence of the husband need not be insisted upon by the Sub Judge, Alandur, for every hearing. It is sufficient, if he is present at every essential hearing. On all other non-essential or procedural hearings, he will be represented through a counsel.

8. With the aforesaid directions, this Transfer Civil Miscellaneous Petition is allowed. No costs. Consequently, the 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 Judge

Family Court, Thiruvannamalai.

<https://www.mhc.tn.gov.in/judis>



2.The Sub Judge
Sub Court, Alandur.

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V.LAKSHMINARAYANAN, J.,

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