



WEB COPY



Tr.CMP.No.942 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.04.2024

CORAM

THE HONOURABLE MR.JUSTICE V.LAKSHMINARAYANAN

Tr.CMP.No.942 of 2023

and

C.M.P.Nos.22676 and 22678 of 2023

S.Mathan

.. Petitioner

Vs.

P.Arthi

.. Respondent

Prayer : The Transfer Civil Miscellaneous Petition is filed under Section 24 of the Code of Civil Procedure, to withdraw the proceeding in H.M.O.P.No.288 of 2023 on the file of the Family Court at Tiruppur and transfer the same to the file of the Family Court at Ariyalur.

For Petitioner : Mr.C.Ramaraj

For Respondent : M/s.R.Renukadevi

ORDER

The respondent/wife has initiated a proceeding in H.M.O.P.No.288 of 2023 on the file of the Family Court at Tiruppur. The husband is a permanent resident of Udaiyarpalayam in Ariyalur District.

2. The petitioner/husband pleads that the place of origin of the



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respondent/wife is Mayiladuthurai and the matrimonial home is at Ariyalur, but the HMOP proceedings have been initiated at Tiruppur. According to him, it takes five hours to travel from Ariyalur to Tiruppur and therefore, he is put to extreme hardship in appearing before the Family Court at Tiruppur for every hearing.

3. Per contra, M/s.R.Renukadevi, appearing on behalf of the respondent/wife, would submit that due to certain differences with her parents, the respondent/wife is not staying at Mayiladuthurai, but is undergoing her education at Tiruppur while staying at her relative's house. Since she is in Tiruppur, she has initiated the proceedings in H.M.O.P.No.288 of 2023 before the Family Court at Tiruppur.

4. Considering the fact that the petitioner is working in police service and the respondent is undergoing education at Tiruppur, I am not inclined to transfer the proceedings from Tiruppur to any other area for the present.

5. As the husband has expressed difficulty in travelling five hours to reach Tiruppur from Ariyalur, I am inclined to request the learned Family



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Judge not insist upon his appearance for every hearing. The presence of the petitioner/husband might be insisted upon only for essential hearings. For other non-essential hearings, the petitioner/husband may be represented through a counsel.

6. With the above directions, the Transfer Civil Miscellaneous Petition stands dismissed. No costs. Consequently, connected Civil Miscellaneous Petitions are closed.

25.04.2024
(1/2)

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Index:Yes/No
Speaking Order :Yes/No
Neutral Citation:Yes/No

V. LAKSHMINARAYANAN, J.



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To

The Family Court,
Tiruppur

Tr.CMP.No.942 of 2023
and
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