



Tr.CMP.No.1005 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.10.2024

CORAM

THE HONOURABLE MR. JUSTICE V.LAKSHMINARAYANAN

Tr.CMP.No.1005 of 2024

and

C.M.P. No.22065 of 2024

R.Mahalakshmi

... Petitioner

Vs.

S.Narendran

... Respondent

PRAYER: Transfer Petition filed under Section 24 of the Code of Civil Procedure to withdraw OP.No.1049 of 2024 on the file of the Family Court, Madurai and transfer the same to the file of the Family court, Chennai.

For Petitioner : Mr.U.Gowrishankar

For Respondent : Ms.M.Preetha

ORDER

The petitioner married the respondent on 12.12.2022 at Chennai. Thereafter, they separated in May 2024. Soon thereafter, the husband has initiated HMOP.No.1049 of 2024 seeking for divorce on the ground of



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cruelty.

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2. On being served with summons, the petitioner pleads that she appeared before the Family Court at Madurai and the counselling session was not fruitful. She pleads that she is a working professional in Chennai and does not have any other support other than her aged parents. Hence, this transfer.

3. Notice was ordered in the transfer application on 01.10.2024. Ms.Preetha representing Mr.Kathiresan opposes the transfer.

4. In matters relating to matrimonial proceedings, it is convenience of the wife which matters. The wife is admittedly a resident of Royapuram in Chennai. If she has to travel from Chennai to Madurai, it is an overnight journey. The two cities are separated by a distance of more than 600 kms. The petitioner is a young lady, aged 29 years. The travel would be onerous especially when she has no support other than her parents to undertake her travel to Madurai.

5. At this stage, Mr.U.Gowrishankar representing the petitioner states that the respondent/husband is working in Chennai.



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6. Be that as it may, taking into consideration the convenience of the wife and the lack of help and assistance for her, I am inclined to accept this transfer petition. OP.No.1049 of 2024 on the file of the learned Family Court, Madurai is withdrawn and is transferred to the file of the Family Court at Chennai.

7. The husband, being a working professional, need not appear before the Family Court for every hearing. The family court shall insist on his appearance only for essential hearings, where his presence is indispensable. For all other hearings, he will be represented by a counsel.

8. With the above directions, this transfer petition is allowed. No costs. Consequently, the connected miscellaneous petition is closed.

30.10.2024

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Index : Yes / No
Speaking order : Yes / No
NCC : Yes / No



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To

1. The Family Court at Chennai
2. The Family Court at Madurai



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V.LAKSHMINARAYANAN, J.

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