



Tr.C.M.P.No.1067 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.10.2024

CORAM:

THE HONOURABLE MR.JUSTICE V.LAKSHMINARAYANAN

Tr.C.M.P.No.1067 of 2024
and C.M.P.No.23520 of 2024

Subhashini

.. Petitioner

Vs.

Uvaraj

.. Respondent

PRAYER: Transfer Civil Miscellaneous Petition is filed under Section 24 of the Civil Procedure Code, to withdraw F.C.O.P.No.435 of 2024 pending on the file of the Family Court, Erode to the file of the Family Court, Chennai.

For Petitioner : Ms.T.Sudha Gandhi

For Respondent : Mr.N.Palanikumar



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ORDER

When the matter came up on 22.10.2024, I requested the learned counsel Ms.T.Sudha Gandhi to find out from her client whether she is willing to settle the matter with the respondent/husband.

2. Today, Ms.T.Sudha Gandhi, on instructions, reports that the wife has several outstanding claims against the husband, both financial and personal, and that she is not willing to settle the matter at this stage. Hence, the transfer petition was heard on the merits.

3. Heard Ms.T.Sudha Gandhi for the petitioner and Mr.N.Palanikumar for the respondent.

4. The petitioner married the respondent on 01.07.2023 at Chennai. It is the second marriage for both the petitioner and the respondent. From the first marriage, the petitioner has a child who is aged about eight years and he is studying at a school in Chennai. The wife



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alleges that her husband deserted her in May 2024 and proceeded to Erode. Thereafter, he has initiated F.C.O.P.No.435 of 2024 on the file of the Family Court at Erode. Pleadings that she is not in a position to travel from Chennai to Erode as she has to take care of the child as well as spend for herself, she has moved the present petition.

5. Mr.Palanikumar does not dispute the aforesaid facts.

6. Taking into consideration the difficulties expressed by the wife and the inconvenience that will be caused to her to travel from Chennai to Erode to attend the case at the Family Court at Erode, I am inclined to accept the transfer. Accordingly, H.M.O.P.No.435 of 2024 on the file of the Family Court at Erode is withdrawn and transferred to the Family Court at Chennai.

7. The learned Family Judge at Chennai is requested not to insist upon the presence of the husband for every hearing. For every hearing, he



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shall be represented by a counsel. For all those hearings where his presence is essential, he shall be present.

8. This Transfer Civil Miscellaneous Petition stands allowed on the above terms. No costs. Consequently, connected miscellaneous petition is closed.

24.10.2024

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

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To

1. The Family Court, Chennai.
2. The Family Court, Erode.



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V.LAKSHMINARAYANAN,J.

Kj

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