



Tr.CMP.No.1033 of 2023

WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.07.2024

CORAM

THE HONOURABLE MR.JUSTICE V.LAKSHMINARAYANAN

Tr.CMP.No.1033 of 2023

and

C.M.P.No.25025 of 2023

T.M.R.Varadhan

.. Petitioner

Vs.

V.Bumijha

.. 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.487 of 2022 on the file of the Family Court at Trichy and transfer the same to the file of the Family Court at Chennai.

For Petitioner : Mr.K.S.Jeyaganeshan

For Respondent : Ms.S.Viji

ORDER



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The petitioner is the husband and the respondent is the wife. They entered into matrimony on 05.03.2017 at Trichy. From the wedlock, a male child was born on 14.11.2017.

2. Due to disputes and differences, the wife has initiated the proceeding for divorce in H.M.O.P.No.487 of 2022 on the file of the Family Court at Trichy. Subsequently, the wife has shifted her residence from Trichy to Chennai, and has admitted the child to Padma Seshadri Bala Bhavan Senior Secondary School at T.Nagar, Chennai.

3. The petitioner/husband, taking note of the subsequent event, has moved this transfer petition stating that it will be convenient for the parties to contest the litigation at Chennai rather than at Trichy.

4. Notice was ordered in the application on 03.11.2023, and on service of summons, Ms.S.Viji has entered appearance on behalf of the respondent.

5. Ms.S.Viji would affirm the statement made by



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Mr.K.S.Jeyaganeshan that the respondent/wife is currently residing at Chennai, and that the child is also studying at Chennai. She would state that her client has no objection for the transfer of proceeding.

6. Taking into consideration the subsequent event of the wife translocating herself from Trichy to Chennai, and having a child undergoing education at Chennai, I am inclined to allow this transfer petition.

7. Hence, the proceeding in H.M.O.P.No.487 of 2022 pending on the file of the Family Court at Trichy is withdrawn and it shall stand transferred to the file of the Family Court at Chennai.

8. The learned Family Judge at Chennai is requested not to insist on the presence of the wife for every hearing, but she shall be directed to be present only for such hearings where her presence is indispensable. On the other hearings, she may be represented through a counsel.

9. Accordingly, the Transfer Civil Miscellaneous Petition stands



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allowed. No costs. The connected Civil Miscellaneous Petition is closed.

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Index:Yes/No

Speaking Order :Yes/No

Neutral Citation:Yes/No

V. LAKSHMINARAYANAN, J.



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To

- 1.The Family Court,
Trichy
- 2.The Family Court,
Chennai

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