



Tr.CMP.No.1106 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.06.2024

Coram

THE HON'BLE MR JUSTICE V. LAKSHMINARAYANAN

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and

CMP.No.26566 of 2023

Francy Salmona

... Petitioner

-Versus-

J.Inbaraj Alfred

... Respondent

Transfer Civil Miscellaneous Petition filed under Section 24 of C.P.C. seeking to withdraw and transfer IDOP.No.89 of 2023 from the file of the Additional Family Court at Chengalpattu to the file of the Additional Family Court at Chennai.

For Petitioner : *Mr.R.Manoranjitham*

For Respondent : *Mr.CKM.Appaji*

ORDER

The wife is the petitioner. She initiated proceedings for divorce before the Family Court at Chengalpet. She has custody of two children, who are aged about 8 years and 6 years respectively. She would state that her parents were residing in Hosur and, therefore, she was staying with them. Subsequently, she has been transferred to Saidapet and is currently residing at No.39, Alandhur



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Road, Saidapet, Chennai - 15. She states that she is unable to travel from Alandhur to Chengalpet and hence, seeks the transfer of IDOP.No.89 of 2023 to the file of the Additional Family Court at Chennai.

2. Notice was issued in this application on 12.12.2023 and the respondent/husband has entered appearance through a counsel.

3. Learned counsel appearing for the respondent would submit that it was the petitioner who initiated the proceedings at Chengalpet and now she would seek transfer. The husband has no objection for transfer of the proceedings from Chengalpet to Chennai.

4. Taking into consideration the fact that the petitioner/wife is now residing in Chennai and is taking care of two children and as the petitioner/husband is also a resident of Alandhur, Chennai, I am inclined to accept the transfer petition. Accordingly, IDOP.No.89 of 2023 is withdrawn from the file of the Additional Family Court at Chengalpattu and is transferred to the file of the Additional Family Court at Chennai. The Additional Family Court at Chennai need not insist upon the respondent to appear for every hearing except the essential hearing. For non-essential or procedural hearings,



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he may be represented through a counsel.

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5. With the above direction, this transfer civil miscellaneous petition is allowed. No costs. Consequently, the connected miscellaneous petition is closed.

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Index : yes / no

Neutral Citation : yes / no

Speaking / Non Speaking Order

To

1.The Additional Family Court at Chengalpet

2.The Additional Family Court at Chennai



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V.LAKSHMINARAYANAN, J.

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