



WEB COPY



Tr.CMP.No.1121 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.06.2024

CORAM

THE HONOURABLE MR.JUSTICE V.LAKSHMINARAYANAN

Tr.CMP.No.1121 of 2023

and

C.M.P.No.26888 of 2023

A.Madhavan

.. Petitioner

Vs.

Fathimadevi

.. Respondent

Prayer : The Transfer Civil Miscellaneous Petition is filed under Section 24 of the Code of Civil Procedure, to withdraw the petition in H.M.O.P.No.238 of 2023 on the file of the Family Court at Tiruvallur and transfer the same to the file of the Family Court at Villupuram.

For Petitioner : Mr.R.Kuyilan

For Respondent : M/s.Nair P.Sridevi Pradeep

ORDER

The husband is the petitioner. The husband has moved an application in H.M.O.P.No.238 of 2023 on the file of the Family Court at Tiruvallur. The proceeding is currently posted for filing of counter by the wife.

2. According to the husband, whenever he goes for the hearing at



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Tiruvallur, he has been abused and threatened by the relatives of the respondent/wife. On this ground, he seeks transfer of his petition from the file of the Family Court at Tiruvallur to the file of the Family Court at Villupuram.

3. The petition in hand does not state anywhere that the husband has given a police complaint as regards the alleged threat that said to have been meted out by the wife and her relatives. Skirmishes in matrimonial matters are not unknown. Unless and until it is life threatening, I cannot hold it as a ground for transfer. Therefore, I am not inclined to entertain this transfer petition.

4. However, taking into consideration the fear expressed by the husband, I would request the Family Court at Tiruvallur not to insist upon the appearance of the husband for every hearing. He may be permitted to appear through a counsel for all non-essential hearings. On every essential hearings, he shall be present in person.



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5. With the above observations, the Transfer Civil Miscellaneous
Petition stands dismissed. No costs. The connected Civil Miscellaneous
Petition is closed.

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Index:Yes/No

Speaking Order :Yes/No

Neutral Citation:Yes/No



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V. LAKSHMINARAYANAN, J.

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To

The Family Court,
Tiruvallur

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and

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