



Tr.CMP.No.1149 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.06.2024

CORAM

THE HONOURABLE MR.JUSTICE V.LAKSHMINARAYANAN

Tr.CMP.No.1149 of 2023

and

C.M.P.No.27692 of 2023

S.Sivaranjani

.. Petitioner

Vs.

K.Ramesh

.. 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.62 of 2023 on the file of the Sub Court at Aranthangi and transfer the same to the file of the Family Court at Tiruppur.

For Petitioner : Mr.K.Myilsamy

For Respondent : Mr.R.K.Ramaiah

ORDER

The wife is the petitioner. The wife claims that she is a permanent resident of Karuvampalayam within the jurisdictional limits of the Family Court at Tiruppur.



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2. The husband is, admittedly, a permanent resident of Kadaiyathupatti within the jurisdictional limits of the Sub Court at Aranthangi. Invoking the jurisdiction of the Sub Court, the husband has filed a petition in H.M.O.P.No.62 of 2023 on the file of the Sub Court at Aranthangi.

3. The petitioner states that as she is residing in Tiruppur, she is unable to travel from Tiruppur to Aranthangi for attending the Court hearings. She states that the respondent's family is well connected family in Pudukkottai District and she fears for her life. Infact, due to a dispute between the parties, a police complaint has also been lodged before the All Women Police Station at Aranthangi and it is said to be at the stage of “pending investigation”.

4. Taking into consideration the interest of the wife and also the fact that a proceeding is already pending before the Family Court at Tiruppur in M.C.No.79 of 2023, I am inclined to consider this transfer petition. Hence, the proceeding in H.M.O.P.No.62 of 2023 pending on the file of the Sub Court at Aranthangi is withdrawn and it shall stand transferred to the file of



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the Family Court at Tiruppur to be heard and disposed of along with
M.C.No.79 of 2023.

5. It is made clear that the Family Court need not insist upon the appearance of the husband for every hearing. It shall permit him to appear through a counsel for all non-essential hearings. For essential hearings, he shall be present in person.

6. Accordingly, the Transfer Civil Miscellaneous Petition stands 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 Sub Court,
Aranthangi
- 2.The Family Court,
Tiruppur

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