



Tr.CMP,.No.1184 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.04.2024

CORAM :

THE HONOURABLE MR.JUSTICE V. LAKSHMINARAYANAN

Tr.CMP.No.1184 of 2023

and CMP.No.28410 of 2023

Brindha Prabalanchandran W/o. Anbu Raja Velu ... Petitioner

VS

Anbu Raja Velu S/o. Velu .. Respondent

PRAYER:- The Transfer Civil Miscellaneous Petition filed under Section 24 of the Code of Civil Procedure to withdraw O.P. No.292 of 2023 pending on the file of the Subordinate Court, Kanchiuram to the file of Sub Court, Kumbakonam.

For Petitioner : Ms. P. Srividhya

For Respondent : Mr. M.R. Thangavel

ORDER

The petition has been filed to withdraw H.M.O.P. No.292 of 2023 pending on the file of the Subordinate Court, Kanchipuram to the file of Sub Court, Kumbakonam.



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2. Heard Ms. P. Srividhya, learned counsel appearing for the petitioner and Mr. M.R. Thangavel, learned counsel appearing for the respondent.

3. The present transfer Civil Miscellaneous Petition is filed seeking to transfer O.P. No.292 of 2023 filed for restitution of conjugal rights from the file of Subordinate Court, Kanchipuram to the file of Subordinate Court, Kumbakonam. The petitioner is the wife and she is the resident of Tanjore and the respondent is the resident of Kanchipuram. From the wedlock, two children have been born and they are under the custody of petitioner wife. The petitioner states that she is the one taking care of children and unable to travel from Kumbakonam to Kanchipuram for every hearing. The husband would plea that the wife is working at Mahendra Infotech, Maraimalai Nagar, Chennai. Ms. P. Srividhya, learned counsel appearing for the petitioner states that it is not in dispute that she is working in Mahendra Infotech, but she is currently working from Work-from-home from Kumbakonam.

4. Considering the overall circumstances, I am of the view that the proceedings pending before Kanchipuram should be transferred to the file



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of Subordinate Court, Kumbakonam. This is because there are two children of whom the petitioner has to take care of and it would be difficult for her to leave the children 300 kms away for the purpose of attend a hearing.

5. Consequently, the transfer Civil Miscellaneous Petition is allowed. The H.M.O.P. No.292 of 2023 is withdrawn from the file of the Subordinate Court, Kanchipuram and transferred to the file of Subordinate Court, Kumbakonam. No costs. The connected miscellaneous petition is closed.

04.04.2024

Index:Yes/No
Speaking order/Non-speaking order
Neutral Citation:Yes/No
mjs

To

1. The Subordinate Court, Kanchiuram
- 2..The Sub Court, Kumbakonam



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V. LAKSHMINARAYANAN,J.

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