



Tr.CMP.No.1251 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.04.2024

CORAM

THE HONOURABLE MR.JUSTICE V.LAKSHMINARAYANAN

Tr.CMP.No.1251 of 2023

and

C.M.P.No.29598 of 2023

Joyce Preetha

.. Petitioner

Vs.

Cheran

.. 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.165 of 2023 pending on the file of the Principal Sub Court, Chengalpet and transfer the same to the file of the Family Court at Dharmapuri.

For Petitioner : Mr.J.Bharathi Raja

For Respondent : Mr.P.Muthamizh Selvakumar

ORDER

The petitioner is the wife and the respondent is the husband.

2. The petitioner is a permanent resident of Vennampatti in



Tr.CMP.No.1251 of 2023

Dharmapuri District. The respondent is a native of Salem, but currently is residing in Pudhupakkam at Chennai.

3. The parties entered into matrimony on 29.08.2022. Subsequently, the disputes arose between the parties and hence, they are before the Subordinate Court at Chengalpet in H.M.O.P.No.165 of 2023.

4. Pursuant to a misunderstanding between the husband and wife, the wife has moved to her native place in Dharmapuri District. She pleads that she is unable to travel 300 Kms from Dharmapuri to Chengalpet for the purpose of attending Court hearings at Chengalpet. Hence, this transfer petition.

5. Notice was issued in the application and Mr.P.Muthamizh Selvakumar has entered appearance for the respondent. He would plead that the petitioner's father is the Inspector of Police in Dharmapuri and therefore, the transfer of proceedings from Chengalpet to Dharmapuri might cause him prejudice.

6. I do not find any merit in this contention because the Inspector of



Tr.CMP.No.1251 of 2023

Police has nothing to do with the Family Court proceedings.

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7. Taking into consideration the interest and convenience of the wife and also considering the distance that she has to travel, I am inclined to allow this transfer petition. Hence, the proceeding in H.M.O.P.No.165 of 2023 pending on the file of the Principal Sub Court, Chengalpet is withdrawn and it shall stand transferred to the file of the Family Court at Dharmapuri.

8. It is made clear that the husband need not appear for every hearing. But, he shall appear for the essential hearings. On all other hearings, he may be represented through a counsel. Accordingly, the Transfer Civil Miscellaneous Petition stands allowed. No costs. The connected Civil Miscellaneous Petition is closed.

25.04.2024

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Index:Yes/No

Speaking Order :Yes/No

Neutral Citation:Yes/No



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Tr.CMP.No.1251 of 2023

V. LAKSHMINARAYANAN, J.

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To

1.The Principal Sub Court,
Chengalpet

2.The Family Court,
Dharmapuri

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and

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