



WEB COPY



Tr.CMP.No.1240 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.06.2024

CORAM

THE HONOURABLE MR.JUSTICE V.LAKSHMINARAYANAN

Tr.CMP.No.1240 of 2023

and

C.M.P.No.29573 of 2023

S.A.Sabari Devi

.. Petitioner

Vs.

T.Senrayakrishnan

.. 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.3499 of 2023 on the file of the Family Court No.VI at Chennai and transfer the same to the file of the Family Court at Theni.

For Petitioner : Mr.K.R.Manimaran

For Respondent : Served, No Appearance

ORDER

The marriage between the petitioner and the respondent was solemnized on 05.03.2020 at Audipatti in Theni District. From the wedlock, a female child was born, who is aged about two and a half years as of today.



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2. Alleging that she has been thrown out of her matrimonial home, the petitioner/wife states that she is now residing with her parents at Bodinaickanur in Theni District.

3. The husband, pleading that the wife has deserted him, has initiated proceeding before the Family Court No.VI at Chennai in H.M.O.P.No.3499 of 2023.

4. The petitioner/wife pleads that she is unable to travel and is not in a position to bear the financial burden of traveling from Theni to Chennai and back and that she also has a child to take care of. Pleading financial and mental agony, she has moved this transfer petition.

5. Taking into consideration that the distance between Theni and Chennai is considerable and the fact that there is a two and a half years old child which has to be taken care by the petitioner/wife, I am inclined to allow this transfer petition.

6. Hence, the proceeding in H.M.O.P.No.3499 of 2023 pending on the



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file of the Family Court No.VI at Chennai is withdrawn and it shall stand transferred to the file of the Family Court at Theni.

7. The learned Family Judge at Theni is also requested not to insist on the presence of the husband for every hearing, but he shall be directed to be present only for such hearings where his presence is indispensable. On the other hearings, he may be represented through a counsel.

8. Accordingly, the Transfer Civil Miscellaneous Petition stands allowed. No costs. The connected Civil Miscellaneous Petition is closed.

14.06.2024

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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 Family Court No.VI,
Chennai

2.The Family Court,
Theni

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