



Tr. CMP No.1367 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.12.2024

CORAM :

THE HON'BLE MR.JUSTICE V.LAKSHMINARAYANAN

Tr. CMP No.1367 of 2024
and C.M.P.No.29475 of 2024

V.Deekshitha

.. Petitioner

Versus

R.Aravinth

.. Respondent

Prayer : Transfer Petition filed under Section 24 of the Code of Civil Procedure to withdraw O.P.No.484 of 2024 pending on the file of the Family Court, Salem and transfer the same to the Family Court, Coimbatore.

For Petitioner : Mr.K.Balasubramaniam

For Respondent : Mr.T.S.Vijayaraghavan

ORDER

This transfer petition seeks for transfer of O.P.No.484 of 2024 on the file of the Family Court at Salem to the file of the Family Court at Coimbatore.

2. There is no dispute in the relationship between the parties. The petitioner is the wife and the respondent is the husband. They solemnised their



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marriage on 09.07.2023 at Salem. Soon thereafter, the parties developed disputes and differences and they separated.

3. The wife has initiated proceeding for divorce in O.P.No.1352 of 2024 on the file of the Additional Principal Family Court at Coimbatore. The husband too has initiated a proceeding for divorce in O.P.No.484 of 2024 on the file of the Family Court at Salem. In addition, the wife has initiated DVC.No.98 of 2024 on the file of the Special Court to try cases filed under Protection of Women From Domestic Violence Act, Coimbatore.

4. The wife pleads that she moved to Coimbatore on 27.01.2024 and is residing all alone without any support. She pleads that the distance between Salem and Coimbatore is nearly 200 kilometers and that she is not in a position to undertake this travel without any support. Hence, transfer.

5. Anticipating the transfer petition, the husband has entered appearance on caveat through Mr.T.S.Vijayaraghavan.



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6. I heard Mr.K.Balasubramaniam for the petitioner and Mr.T.S.Vijayaraghavan for the respondent.

7. The narration of the facts would show that the wife is at Coimbatore and the husband is at Salem. The distance between Salem and Coimbatore is considerable. It will be difficult for a single woman to travel from Coimbatore to Salem to attend the hearing and return to Coimbatore on the same day.

8. Taking into consideration the difficulty that has been expressed by the wife, O.P.No.484 of 2024 on the file of the Family Court at Salem is withdrawn and transferred to the file of the Additional Principal Family Court at Coimbatore. The learned Judge shall club O.P.No.484 of 2024, on its transfer and renumbering, along with O.P.No.1352 of 2024.

9. Both Mr.K.Balasubramaniam and Mr.T.S.Vijayaraghavan agree that if the matter is referred to mediation, there is a possibility of settlement.



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10. The learned Additional Principal Family Judge at Coimbatore shall verify that the parties are interested in mediation. If they will express their desire to settle the matter, the learned Judge shall refer the matter to the mediation centre at Coimbatore. In the unfortunate event, if the matter is not settled, the learned Judge shall conduct joint trial in both O.Ps. and render a common judgment.

11. With the above directions, this transfer is allowed. No costs. Consequently, the connected miscellaneous petition is closed.

21.12.2024

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Index : Yes / No

Speaking order / Non-speaking order

Neutral Citation : Yes / No



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To

- 1.The Judge, Family Court, Salem
- 2.The Additional Principal Family Judge, Coimbatore.



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V.LAKSHMINARAYANAN, J.

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