



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.06.2025

CORAM

THE HONOURABLE MR JUSTICE P.B. BALAJI

Tr.C.M.P.No.37 of 2025

& CMP.No.850 of 2025

Mangammal

... Petitioner

vs.

K.Marimuthu

... Respondent

PRAYER: Transfer Civil Miscellaneous Petition filed under Section 24 of Code of Civil Procedure to withdraw O.P.No.51 of 2024 from the file of the Family Court, Krishnagiri and transfer the same to the file of the Subordinate Judge, Palacode, Dharmapuri District.

For Petitioner : Mr.R.Muralidharan

For Respondent : M/s.R.Poornima

ORDER

The petitioner/wife seeks transfer of O.P.No.51 of 2024 pending on the file of the Family Court, Krishnagiri to be transferred to the file of the learned Subordinate Judge, Palacode, Dharmapuri District.

2.Heard the learned counsel for the petitioner as well as the



respondent.

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3.The learned counsel for the petitioner would submit that the petitioner has minor children and is facing difficulties in attending the hearings before the Family Court, Krishnagiri and therefore, she seeks transfer of proceedings to the learned Subordinate Judge, Palacode, Dharmapuri District.

4.The learned counsel for the respondent would submit that the Family Court, Krishnagiri is nearer to the native place of the petitioner than the Subordinate Court, Palacode Dharmapuri. She would further submit that the trial has already commenced in the OP and therefore, there is absolutely no necessity to transfer the OP for this belated stage.

5.I have carefully considered the submissions advanced by the learned counsel on either side.

6.Admittedly, the OP has been filed by the respondent/husband before the Family Court, Krishnagiri, seeking dissolution of the marriage as early as January 2024. The petitioner/wife has participated in the proceedings on several hearings and has also allowed the commencement of



trial, after completion of pleadings.

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7. In the light of the above, I feel that it would not be just and proper to direct transfer of the OP at the part heard stage. At the same time, the interest of the petitioner/wife shall also have to be necessarily safeguarded considering that she had expressed difficulties to travel even to the Family Court, Krishnagiri.

8. In the light of the above, the Transfer Civil Miscellaneous Petition is dismissed with the following directions:

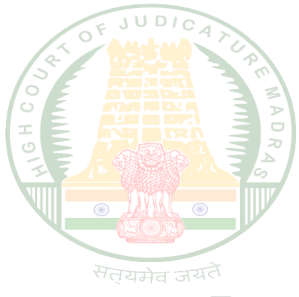
(i) the Family Court, Krishnagiri, shall expedite the trial in O.P.No.51 of 2024 and shall pass final orders in the said OP on or before 31.10.2025.

(ii) the petitioner's physical presence shall not be insisted upon by the Family Court, Krishnagiri, except for the hearing where it is absolutely necessary to enable the Family Court, Krishnagiri to proceed with the trial of the OP.

(iii) There shall be no order as to costs. Connected Civil Miscellaneous Petition is closed.

04.06.2025

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P.B. BALAJI,J.

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To
The Family Court, Krishnagiri.

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