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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.32 of 2025

& CMP.No.774 of 2025

M.Dorothy Rajakumari

... Petitioner

VS.

V.Rojesh Prabhu

... Respondent

PRAYER: Transfer Civil Miscellaneous Petition filed under Section 24 of Code of Civil Procedure to withdraw IDOP.NO.8 of 2024 pending on the file of the Principal District Judge, Thiruvallur, Thiruvallur District and transfer the same to the Family Court, Chennai, Chennai District.

For Petitioner : Mr.B.Gandhi

For Respondent : Mr.T.Muruganantham

ORDER

The petitioner/wife seeks transfer of IDOP.No.8 of 2024 from the file of the Principal District Judge, Thiruvallur District, to the file of the Family Court, Chennai District.



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2.The learned counsel for the respondent fairly submits that the respondent/husband has no serious objection for the transfer request being acceded to, provided this Court directs the Family Court to not insist on the physical presence of the respondent on all hearing dates.

3.I have gone through the affidavit filed in support of the transfer petition. In view of the petitioner/wife has made out a prima facie case for transfer, this Transfer Civil Miscellaneous Petition is allowed and the case in IDOP.No.8 of 2024 is hereby withdrawn from the file of the Principal District Judge, Thiruvallur and transferred to the file of the Principal Family Court, Chennai. At the same time, in order to protect the interest of the respondent/husband, the Principal Family Court, Chennai is directed to take up IDOP.No.8 of 2024 on its own file or assign it to any other Family Courts, subject to the pending cases before the various Family Courts. The physical presence of the respondent/husband may not be insisted on all hearing dates, except for the hearing where it is absolutely necessary, for example, chief and cross examination. There shall be no order as to costs. Connected Civil Miscellaneous Petition is closed.

04.06.2025

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To

1. The Principal District Judge, Thiruvallur, Thiruvallur District.
2. The Principal Family Court, Chennai, Chennai District.

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P.B. BALAJI,J.

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